

FINAL MITIGATED NEGATIVE DECLARATION

VENTURA RIVER WATER DISTRICT 2023 WATER PROJECTS

SCH NO. 2022120660



Lead Agency:



Ventura River Water District

409 Old Baldwin Road
Ojai, California 93023
Contact: Mr. Bert Rapp
(805) 340-7263

Prepared by:

Padre Associates, Inc.

1861 Knoll Drive
Ventura, CA 93003
(805) 644-2220

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FINAL MITIGATED NEGATIVE DECLARATION FOR THE VENTURA RIVER WATER DISTRICT 2023 WATER PROJECTS

PROJECT DESCRIPTION

WATER MAIN IMPROVEMENTS

Tico Service Area. The District plans to annex the Tico service area into its service area. Improvements are needed to address existing deficiencies within the Tico water distribution system including fire water distribution, supply and circulation. These improvements consist of three short sections of new water main to connect the existing mutual water system and customers to the District's distribution system. In addition, these improvements include the installation of about 40 water meters and five fire hydrants.

Emergency Turn-out at Ojai Terrace. This improvement involves the construction of an emergency connection to the Casitas MWD system at the northern end of Zone 5 to increase reliability within that zone (due to that area of the system being served by a single pipe). This improvement is comprised of the construction of an interconnection between the Casitas MWD water main in Taormina Lane and the District's water main in Vallerio Avenue. The interconnection would include a new vault (valve, meter, pressure sustaining and reducing valve, etc.) and approximately 1,300 linear feet of 8-inch diameter buried PVC pipe located within the La Paz Drive right-of-way, between Taormina Lane and Vallerio Avenue south of Nordhoff High School.

Ojai Terrace Pipe Replacements. The Ojai Terrace area has old, undersized asbestos cement pipes that are due to be replaced; therefore, enlarging the pipes is proposed to improve fire water system circulation in the area. This improvement involves installing about 1,300 linear feet of 8-inch diameter buried PVC pipe at two locations.

In-Fill Pipe along SR 33/150. The purpose of this improvement is to provide a looped water main connection just north of SR 33/150 and east of Nova Lane, which would improve reliability in the outermost portion of Zone 5 and provide a looped pipeline for water to reach the Ojai Terrace neighborhood.

Loma Drive Water Main. The Loma Drive neighborhood is currently served by an old, undersized, asbestos cement pipe that is in need of replacement. About 1,000 linear feet of 8-inch diameter buried PVC pipe would be installed within the Loma Drive right-of-way.

Re-Plumb Encino and Thomas Pressure Reducing Valve Vaults. The intent of this improvement is to replace the internal, aged welded steel pipes within these two existing pressure reducing vaults with flanged pipes and fittings to increase ease of future repairs.

Santa Ana Water Main. The intent of this improvement is to replace a thin-walled 4-inch diameter PVC pipeline that is located in a difficult to access private easement and currently serves the area west of the Ventura River near Santa Ana Boulevard. A portion of this water main would be relocated into the public right-of-way along Santa Ana Boulevard and Santa Ana Road. About 2,450 linear feet of 8-inch diameter buried PVC pipe would be installed.

NEW/REPLACEMENT WATER TANKS, PUMP AND DRAINAGE IMPROVEMENTS

Second Water Tank at the Parker Site. A 700,000 gallon above-ground, welded steel water tank would be constructed approximately 200 feet southwest of the existing Parker tank. The tank would be approximately 93.5 feet in diameter and 25.5 feet tall; however, these dimensions may vary upon completion of the geotechnical study and engineering design. Based on the preliminary grading plan, it is anticipated the earthwork footprint for the second water tank would be approximately 0.5 acres. A gravel access road from the existing tank site and a gravel area around the new tank perimeter would be provided. The new tank would be fenced.

Parker Pump Station Improvements. The three booster pumps at the Parker site are proposed to be replaced with variable frequency drive (VFD) pumps to be connected to the existing pump motors adjacent to Parker tank. Through the addition of the VFDs, the District would be able to operate the pumps at different flow rates based on demands in the system. A portion of the electricity produced by the proposed photo-voltaic solar panel array would power these pumps.

New Parker Site Pump Station (Zone 5). A new packaged, skid-mounted pump station (single VFD pump) would be installed on a concrete pad adjacent to the existing pump station at the Parker site to pump water directly from Parker tank to Zone 5. A portion of the electricity produced by the proposed photo-voltaic solar panel array would power this pump.

Baldwin Site Pump Replacement. The existing pumps and motors (two active, one standby) would be replaced with new motors and VFDs within the existing pump station building. The electrical panels serving the pump motors would also be replaced and located above the 100-year flood water elevation.

North Baldwin Tank Replacement. The existing tank and foundation would be demolished and replaced in kind (approximately 210,000 gallon above-ground welded steel tank, about 40 feet in diameter and 29 feet tall), about five feet north of the existing tank location. A temporary chlorination station would be provided to serve the south Baldwin tank during the period when the north tank was out of service.

Standby Generator Sound Wall. While sound protection is not required for standby generators, a sound wall would be provided as a courtesy to reduce potentially elevated noise levels at adjacent residences during infrequent standby generator operation. This sound wall would be located immediately east of the standby generator, about 60 feet long, up to 8-feet tall and composed of reinforced concrete masonry block. The sound wall foundation would be designed to minimize major root loss at two coast live oak trees located approximately two feet from the sound wall location.

Baldwin Pump Station Primary Switch Gear Replacement. The primary switch gear at the Baldwin pump station is over 50 years old and is at the end of its useful life and replacement parts for it are difficult to locate. Therefore, the switch gear and cabinets would be replaced at approximately the same location. In addition, a new concrete pad to support the new switch gear and cabinets may be required.

Baldwin Site Chlorination Facility Upgrade. As part of the north Baldwin tank replacement, the existing chlorination facility located on the northwest side of the tank would be relocated to raise it above the 100-year flood water elevation, to improve the accessibility of this facility and expand the working area around the tank and chlorination facility. The proposed upgrade includes a concrete pad, pumps, piping and a new 3,000-gallon chemical tank which would allow the District to dilute and utilize a 6 percent sodium hypochlorite solution for disinfection of well water.

Baldwin Site Flood/Erosion Protection. Bank protection is proposed to provide protection against flooding and related erosion. This bank protection would provide four feet of freeboard above the 100-year flood water elevation and prevent high-energy scouring flows from entering the Baldwin site but would continue to allow back water to enter the site. The bank protection would extend about 330 feet along the District's western property boundary (adjacent to the tanks), then extend to the northeast to protect the tanks and pump station.

Baldwin Site Flood Water Drainage Improvements. Proposed flood water drainage improvements include replacement of the existing metal culvert pipes with corrugated high-density polyethylene pipes under the existing berm along the western property boundary, excavation/regrading of the percolation area west of the south Baldwin tank, construct an outlet weir at the percolation area and provide a gravel surface on access roads near the tanks.

SOLAR ENERGY FACILITIES

Baldwin Site. Due to space and topographic limitations, a 265.5 KW photo-voltaic solar panel system is proposed, with remaining energy needs being provided by Southern California Edison. This system would be comprised of approximately 559 solar panels, likely 14.4 feet long, by 3.5 feet wide. The solar panels would be supported by above-ground pre-cast concrete ballast blocks, eight-feet-long by four feet-wide. The solar panels would be located on both sides of the access road north of the Baldwin tanks, and possibly on the roof of the District office building, relocated carport and proposed equipment/vehicle parking area. The solar panels would be tilted towards the west. Earthwork would be required to provide a level pad for the solar panels and lower the panels to reduce the visual impact, primarily east of the access road. An electric vehicle charging station would also be provided near the District's office building.

Parker Site. A 184 KW photo-voltaic solar panel system is proposed, with remaining energy needs being provided by Southern California Edison. This system would be composed of approximately 260 solar panels, likely 14.4 feet long, by 3.5 feet wide. The solar panels would be supported by above-ground pre-cast concrete ballast blocks, eight-feet-long by four feet-wide. The solar panels would be located southwest of the proposed new tank location. The solar panels would be tilted towards the southeast. Earthwork would be required to provide a level pad for the solar panels and lower the panels to reduce the visual impact.

CONSTRUCTION

Construction of the Project components is anticipated to start in late 2023; however, the precise sequence of implementation of each component has not been determined at this time. For the purposes of estimating peak year greenhouse gas emissions, it is assumed that the second Parker tank and each of the water main improvements would be under construction during a peak 12-month period.

OPERATION

Once constructed, the proposed new facilities and improvements would be operated by the District with no major changes in existing methods and timing. The amount of groundwater and Casitas MWD water pumped, stored, chlorinated and delivered to District customers would not change. No new District staff or contractors would be required to operate and maintain the proposed Project components.

PROJECT LOCATION

The Project is comprised of 12 work locations, all but two of which are located in Ventura County. The proposed emergency turn-out at Ojai Terrace and the Ojai Terrace Pipe Replacement sites are located within the City of Ojai. The location of each work site is provided in Figures 2A and 2B.

PROJECT PROPONENT AND LEAD AGENCY

Ventura River Water District
409 Old Baldwin Road
Ojai, California 93023

Contact: Bert Rapp (805/340-7263)

PROPOSED FINDINGS

The District has prepared this Mitigated Negative Declaration (MND) pursuant to Sections 15070-15075 of the State Guidelines for the Implementation of the California Environmental Quality Act. This Mitigated Negative Declaration documents the District's finding that there are no significantly adverse unavoidable impacts associated with the proposed project, and the project does not require the preparation of an Environmental Impact Report (EIR). The attached Initial Study identifies and discusses potential impacts, mitigation measures and residual impacts for identified subject areas.

PUBLIC COMMENTS

In compliance with Section 15073 of the State Guidelines for the Implementation of the California Environmental Quality Act, the District accepted written comments on the adequacy of the information contained in the Draft MND between January 1 and February 3, 2023. Responses to comments received are provided as Appendix A to this Final IS/MND, with changes to the IS/MND text noted in underline and strikeout mode.

MITIGATION MEASURES

The following mitigation measures have been integrated into the proposed project and would reduce impacts to a level of less than significant.

Air Quality

Although air quality impacts were found to be less than significant, the following air pollutant emissions reduction measures recommended by the Ventura County Air Pollution Control District (APCD) Air Quality Assessment Guidelines (revised 2003) have been incorporated into the project including:

- The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.
- Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.
- All trucks shall be required to cover their loads as required by California Vehicle Code §23114.
- All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.
- Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until plant growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.
- Signs shall be posted on site limiting traffic to 15 miles per hour or less.
- During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on site activities and operations from being a nuisance or hazard, either off site or on site. The site superintendent/supervisor shall use his/her discretion in conjunction with the APCD in determining when winds are excessive.
- Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
- Personnel involved in grading operations, including contractors and subcontractors, shall be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.
- Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated as needed to prevent blowing fugitive dust off site.
- All project construction and site preparation operations shall be conducted in compliance with all applicable APCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust) and Rule 10 (Permits Required).

- Signs displaying the APCD complaint line telephone number (805/303-3700 during business hours; 805/303-3708 after hours) shall be posted in a prominent location visible to the public.
- Off-road construction equipment shall utilize engines certified to the Federal Emissions Standard Category of Tier 3 or Tier 4, if available. Based on Federal exhaust emission standards, using Tier 3 certified engines instead of Tier 2 certified engines would reduce NOx and non-methane hydrocarbon emissions by 39 percent.

Archaeological Resources

MM CR-1. The following mitigation measures are consistent with the guidelines of the State Office of Historic Preservation and shall be incorporated into the Project to prevent significant impacts, should resources be found during excavation.

- A worker cultural resources sensitivity program shall be implemented prior to tank construction at the Parker site. Prior to any ground-disturbing activity, a qualified archeologist shall provide an initial sensitivity training session to all affected contractors, subcontractors, and other workers, with subsequent training sessions to accommodate new personnel becoming involved in tank construction. The sensitivity program shall address the cultural sensitivity of the Parker site and how to identify these types of resources, specific procedures to be followed in the event of an inadvertent discovery, and consequences in the event of non-compliance.
- Should any buried archaeological materials be uncovered during Project activities, such activities shall cease within 100 feet of the find. Prehistoric archaeological indicators include obsidian and chert flakes, chipped stone tools, bedrock outcrops and boulders with mortar cups, ground stone implements, locally darkened midden soils containing previously listed items plus fragments of bone and fire affected stones. Historic period site indicators may include fragments of glass, ceramic and metal objects, milled and split timber, building foundations, privy pits, wells and dumps, and old trails. All earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until the District has been notified and an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume.
- If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and deposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission.

Implementation of these measures would minimize potential adverse effects to discovered cultural resources and human remains, which would reduce archaeological resources impacts to a level of less than significant.

MITIGATION MONITORING AND REPORTING

Section 15074(d) of the State Guidelines for the Implementation of the California Environmental Quality Act and Section 21081.6 of the Public Resources Code, requires the lead agency (District) to adopt a monitoring program to ensure mitigation measures are complied with during implementation of the project. In compliance with these requirements, a Mitigation Monitoring Program Implementation Table is provided below. This Table identifies the timing, monitoring methods, responsibility and compliance verification method for all mitigation measures identified in this MND. Monitoring would be conducted by the District's project manager and qualified specialists under contract to the District.

**VENTURA RIVER WATER DISTRICT 2023 WATER PROJECTS
MITIGATION MONITORING PROGRAM – IMPLEMENTATION TABLE**

Mitigation Measure	Implementation Timing	Monitoring Methods	Monitoring Frequency	Party Responsible for Monitoring	Method of Compliance Verification	Verification of Compliance		
						Signature	Date	Remarks
CULTURAL RESOURCES								
A worker cultural resources sensitivity program shall be implemented prior to tank construction at the Parker site. Prior to any ground-disturbing activity, a qualified archeologist shall provide an initial sensitivity training session to all affected contractors, subcontractors, and other workers, with subsequent training sessions to accommodate new personnel becoming involved in tank construction. The sensitivity program shall address the cultural sensitivity of the Parker site and how to identify these types of resources, specific procedures to be followed in the event of an inadvertent discovery, and consequences in the event of non-compliance.	Throughout the construction period	The project manager will ensure the sensitivity training program is fully implemented	Initially prior to ground disturbance, and as new workers are assigned to tank construction	Ventura River Water District	District staff will document training in the project inspection report			
Should any buried archaeological materials be uncovered during Project activities, such activities shall cease within 100 feet of the find. Prehistoric archaeological indicators include obsidian and chert flakes, chipped stone tools, bedrock outcrops and boulders with mortar cups, ground stone implements, locally darkened midden soils containing previously listed items plus fragments of bone and fire affected stones. Historic period site indicators may include fragments of glass, ceramic and metal objects, milled and split timber, building foundations, privy pits, wells and dumps, and old trails. All earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until the District has been notified and an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume.	Throughout the construction period	The construction inspector will observe work in progress and ensure work is suspended as appropriate, the project manager will ensure evaluation of the find is completed	Initially and weekly thereafter	Ventura River Water District	District staff will prepare an incident report to be included in the project inspection report			

**VENTURA RIVER WATER DISTRICT 2023 WATER PROJECTS
MITIGATION MONITORING PROGRAM – IMPLEMENTATION TABLE**

Mitigation Measure	Implementation Timing	Monitoring Methods	Monitoring Frequency	Party Responsible for Monitoring	Method of Compliance Verification	Verification of Compliance		
						Signature	Date	Remarks
If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and deposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission.	Throughout the construction period	The construction inspector will observe work in progress and ensure work is suspended as appropriate, the project manager will notify the coroner	Initially and weekly thereafter	Ventura River Water District	District staff will prepare an incident report to be included in the project inspection report			

1.0 INTRODUCTION

1.1 PURPOSE AND LEGAL AUTHORITY

This Initial Study has been prepared for the 2023 Water Projects (Project), which are intended to promote efficiency, increase resource responsibility, and implement long lasting improvements to the Ventura River Water District's (District) potable water production, storage and distribution systems. The District is the proponent of this Project and would be responsible for construction and operation of all proposed improvements.

As part of this Project, the District plans to annex the Tico Mutual Water Company (Tico) service area to its existing service area (see Figure 1 and Section 1.5).

Section 2.0 of this document provides a description of the Project. The District is the "lead agency" for the Project. As defined by Section 15367 of the CEQA Guidelines, the lead agency is "the public agency which has the principal responsibility for carrying out or approving a project that may have a significant impact on the environment." Based on the findings of the Impact Analysis (Section 3.0 of this Initial Study), it has been determined that the Project (with mitigation) would not have a significant impact on the environment. As such, a Mitigated Negative Declaration has been prepared for the Project in accordance with CEQA.

1.2 PROJECT PROPONENT AND LEAD AGENCY

Ventura River Water District
409 Old Baldwin Road
Ojai, California 93023

Contact: Bert Rapp (805/340-7263)

1.3 DISTRICT BACKGROUND AND PROJECT LOCATION

The District is a special district formed in 1956 pursuant to State Water Code Section 30000, et seq., and is a retail water purveyor for areas in the unincorporated portion of Ventura County as well as a portion of the City of Ojai. The District's service area is comprised of approximately 2,160 acres and is depicted in Figure 1. The District provides potable water service for residential and commercial uses and does not provide water for agricultural irrigation. The District typically uses about 955 acre-feet of water per year, with about 817 acre-feet/year pumped from the Upper Ventura River Groundwater Basin and about 138 acre-feet/year from Lake Casitas provided by the Casitas Municipal Water District (Casitas MWD). Each of the improvements proposed under the Project would be located within the District service area.

The Project is comprised of 12 work locations, and has been subdivided into three general categories for planning purposes:

- Water main improvements.
- New/replacement water tanks, and pump and drainage improvements.
- Solar energy facilities.

The location of each work site is provided in Figures 2A and 2B. More detailed site maps are provided as Figures 3, 4, 5 and 6. Photographs of the work locations are provided as Figures 7 and 8.

1.4 WATER PROJECT BACKGROUND, PURPOSE AND NEED

1.4.1 Water Main Improvements

About 83 percent of the water mains in the District (28 miles) are asbestos cement pipe, which are on average 60 years old. These aging pipes represent an ongoing concern for failures and leaks and the District is planning for adequate budgeting to eventually replace the asbestos cement pipe in their system over time. Some of the asbestos cement pipeline replacements are addressed by these proposed water main improvements. Additionally, these improvements would provide complete distribution circulation loops in the system (such as the Nova Lane project) to increase system reliability, upsize existing pipes to improve fire water flows (circulation and pressure), enable the annexation of the Tico service area, and provide additional reliability in water supply (proposed emergency turnout at Ojai Terrace).

1.4.2 Water Tanks, Pump and Drainage Improvements

The District's storage tank inventory currently consists of five storage tanks (two at the Baldwin site, two at the Alto site, and one at the Parker site). The primary water supply for the District's system comes from wells at the Baldwin site, which is chlorinated at the Baldwin site and stored in the Baldwin tanks. From there, three booster pumps at the Baldwin site pump water from the Baldwin tanks to the Parker tank site. The Alto tanks are supplied by three submersible booster pumps at the Parker site from the Parker tank.

An additional tank at the Parker site is proposed to improve the District's reliability and provide for easier future maintenance of the existing tank at the Parker site. Currently, in the event the existing tank failed or was in need of maintenance, temporary tanks or other measures would be required to provide the necessary and regulatory storage for Zones 1 and 5, and to supply the Alto tanks from the Baldwin wells.

A new pump station is proposed at the Parker site to provide an energy saving solution to supply water from the Parker tank to Zone 5 without pumping the water to the Alto tank at a higher elevation and then pressure reducing the water supply to serve the Zone 5 service area which is at a lower elevation. Currently, water supplied from the Alto tank must pass through a pressure reducing valve to reduce pressure to an acceptable level for Zone 5. Rather than expending more energy than necessary pumping water to the Alto tank then pressure reducing the needed water supply for Zone 5 customers, the proposed packaged, skid-mounted pump station would pump water directly from Parker tank to Zone 5 and therefore saving the District additional energy costs.

Replacement of the Baldwin booster pumps and motors is proposed because they are a vital part of the District's system and are essential to serving 90 percent of the District's customers. Even with regular maintenance activities, the pumps and motors are nearing the end of their serviceable life. These pumps are also not equipped with soft starts or Variable Frequency Drives (VFDs), so an inrush current supply of 1,800 amps is required to start the pumps. The Tesla batteries present at the Baldwin site are unable to start the pumps because of the high inrush current; therefore, the pumps are started using utility power supply or power supplied by the existing standby generator when utility power is not available.

Replacement of the north Baldwin tank is proposed due to evident floor, roof and foundation defects, which would be replaced in kind to maintain a similar footprint due to site constraints. The proposed tank location would be slightly north of the existing position to allow for more space between the tank and the booster pump station to pass local flood flows.

The pump station and tanks at the Baldwin site are located adjacent to the 100-year flood hazard area (Zone AE), and flood-related erosion west of the District property line (adjacent to the Ventura River) has been a historical and ongoing concern for the District. In addition, sediment transport associated with proposed removal of the Matilija Dam would increase the riverbed elevation and increase the 100-year water surface elevation by one foot at the location of the tanks (Stillwater Sciences, 2020). Therefore, the District proposes to install bank protection along a portion of the Baldwin site western property boundary to provide additional protection against flooding and related erosion.

Flood water drainage improvements are proposed at the Baldwin site because current site conditions may direct storm water run-off from properties to the east during major storm events to flow through a narrow gap between the north Baldwin tank and the pump building. Storm water collects in the depressed area to the southwest of the tanks (the percolation area) before entering a drainage system, which leads to the Ventura River. The location of the replacement north Baldwin tank would also assist in providing additional area for floodwaters to pass through this area.

1.4.3 Solar Energy Facilities

As stated in Section 1.4.2, three booster pumps transport water from the Baldwin tanks to the Parker tank site. The Alto tanks are supplied water from the Parker Tanks by three submersible booster pumps. At this time, the District's water pumping power needs are met by their service connections to the local power utility provider Southern California Edison (SCE). The Baldwin Pump Station has a 1,044 kWh kilowatt-hour (KW-hr) Tesla battery with a rated capacity of 210 KW. The Parker Pump Station has a 696 KW-hr Tesla battery with a rated capacity of 174 KW.

The objectives of this Project include optimizing the pumping of water using solar power along with the existing batteries to minimize the purchase of power from SCE, which would provide substantial cost savings. In addition, on-site solar/battery power would also increase operational reliability of the water system, especially during emergencies. Therefore, solar energy facilities are proposed at both the Parker and Baldwin sites to allow the District to utilize the Tesla batteries in conjunction with the solar panels to store and utilize solar power with the intent that most of their power needs may be met by the solar/battery system. In addition, the District office electrical circuits at the Baldwin site are proposed to be connected to the pumping meter and served by the proposed solar/battery power system.

1.5 ANNEXATION

The District plans to annex the Tico Mutual Water Company (Tico) service area into its current service area (see Figure 1). The annexation of this area would not result in physical changes in the environment, except for installation of a waterline and meter to serve 1000 Burnham Road. Any additional development of the 43 parcels within the former Tico service area would be subject to future engineering design as well as separate environmental review by the Ventura County Planning Division. However, the proposed Project includes improvements to the Tico water distribution system to serve existing customers (see Section 2.1.1).

Tico is a mutual water company that operates in Ventura County, California, incorporated in 1949 and operates pursuant to its 1949 Articles of Incorporation and its By-Laws, adopted in 1950. Tico's Articles provide, in part, that Tico may "sell, distribute, supply and deliver water for irrigation purposes and domestic use to the owners of the shares [of Tico]." Tico operates a groundwater well located in an easement in the common area of the Ojai Villa Mobile Estates at 70 Baldwin Road. Tico also owns pipelines and pumps and a water storage tank to serve water to their shareholders. Tico uses about 17 acre-feet of water per year, with about 11 acre-feet/year pumped from the Upper Ventura River Groundwater Basin and about six acre-feet/year from Lake Casitas (provided by the Casitas MWD).

Tico entered into a Consolidation and Water Service Agreement with the District in July 2020 to merge with District. The Casitas MWD has adopted a resolution supporting the merger. The intention is that Tico will continue to serve irrigation water to their existing Shareholders and to any interested District customers. Tico will no longer serve domestic water once connected to the District system, but will continue to operate its water system as an irrigation system only and will terminate their domestic water permit. Domestic water and fire protection water will be provided by the District system. This merger requires the District to formally annex Tico's service area into the District's service area.

The additional water from the District water system to serve the Tico shareholders amounts to about 5 acre-feet per year or a 0.5 percent increase above the District's current usage. This additional usage will not place a significant burden on the District system. Lake Casitas provides the emergency backup supply for the District for extended drought periods. Because Tico is currently served by the Casitas MWD there will be no increased use of Lake Casitas water after the merger. The usage of Casitas MWD water by the District will increase by 0.7 acre-feet per year or 0.5 percent while the total usage of Casitas MWD water will decrease by 5.2 acre-feet per year after the merger.

The District submitted an application to modify their service area to the Ventura Local Agency Formation Commission. However, the application is on hold pending the adoption of this MND by the District's Board and submittal of plans and specifications for these water projects to the ~~California Department of Water Resources~~ State Revolving Fund Program. The District will work with the State Water Resources Control Board to ensure the protection of public health. A cross-connection test would be performed once the public water supply systems are disconnected to determine that the Tico Mutual Water Company's non-potable irrigation system is not connected to the District's public water system.

1.6 PROJECT APPROVALS

Proposed demolition and construction activities and operation of improvements would require the following permits and/or agency consultation:

- The proposed Tico annexation must be approved by the Ventura Local Agency Formation Commission, which is considered a discretionary action, and the Ventura Local Agency Formation Commission is considered a responsible agency under CEQA.
- Construction and demolition activities would require coverage under the General Permit for Discharges of Storm Water Associated with Construction and Land Disturbance Activities from the California Regional Water Quality Control Board, Los Angeles Region. However, this is not a discretionary action, and the Regional Board would not be considered a responsible agency under CEQA.
- Project-related construction activities within the right-of-way of State highways (State Routes [SR] 33 and 150) would require an encroachment permit from the California Department of Transportation (Caltrans). However, this is not a discretionary action, and Caltrans would not be considered a responsible agency under CEQA.
- Project-related construction activities within the right-of-way of County public roadways would require an encroachment permit from the Ventura County Public Works Agency. However, this is not a discretionary action, and the Ventura County Public Works Agency would not be considered a responsible agency under CEQA.
- Project-related construction activities within the right-of-way of City of Ojai public roadways (Ojai Terrace area) would require an encroachment permit from the City. However, this is not a discretionary action, and the City of Ojai would not be considered a responsible agency under CEQA.

- Project-related construction activities within the Ojai Valley Trail would require approval from the Ventura County Parks Department. However, this is not a discretionary action, and the Ventura County Parks Department would not be considered a responsible agency under CEQA.
- Project-related construction activities would be subject to best management practices required by the Ventura Countywide NPDES Municipal Stormwater Permit issued by the California Regional Water Quality Control Board, Los Angeles Region. However, this is not a discretionary action, and the Regional Board would not be considered a responsible agency under CEQA.
- The Project would be required by the Ventura Countywide NPDES Municipal Stormwater Permit to implement a post-construction stormwater management plan. However, this is not a discretionary action, and the Regional Board would not be considered a responsible agency under CEQA.
- The Project would require an amendment to the District's Domestic Water Supply Permit from the State Water Resources Control Board. However, this is not a discretionary action, and the State Water Resources Control Board would not be considered a responsible agency under CEQA.
- The Project would require approval of funding under the State Revolving Fund Program from the State Water Resources Control Board. This is a discretionary action, and the State Water Resources Control Board would be considered a responsible agency under CEQA.

1.7 MITIGATION MONITORING PLAN

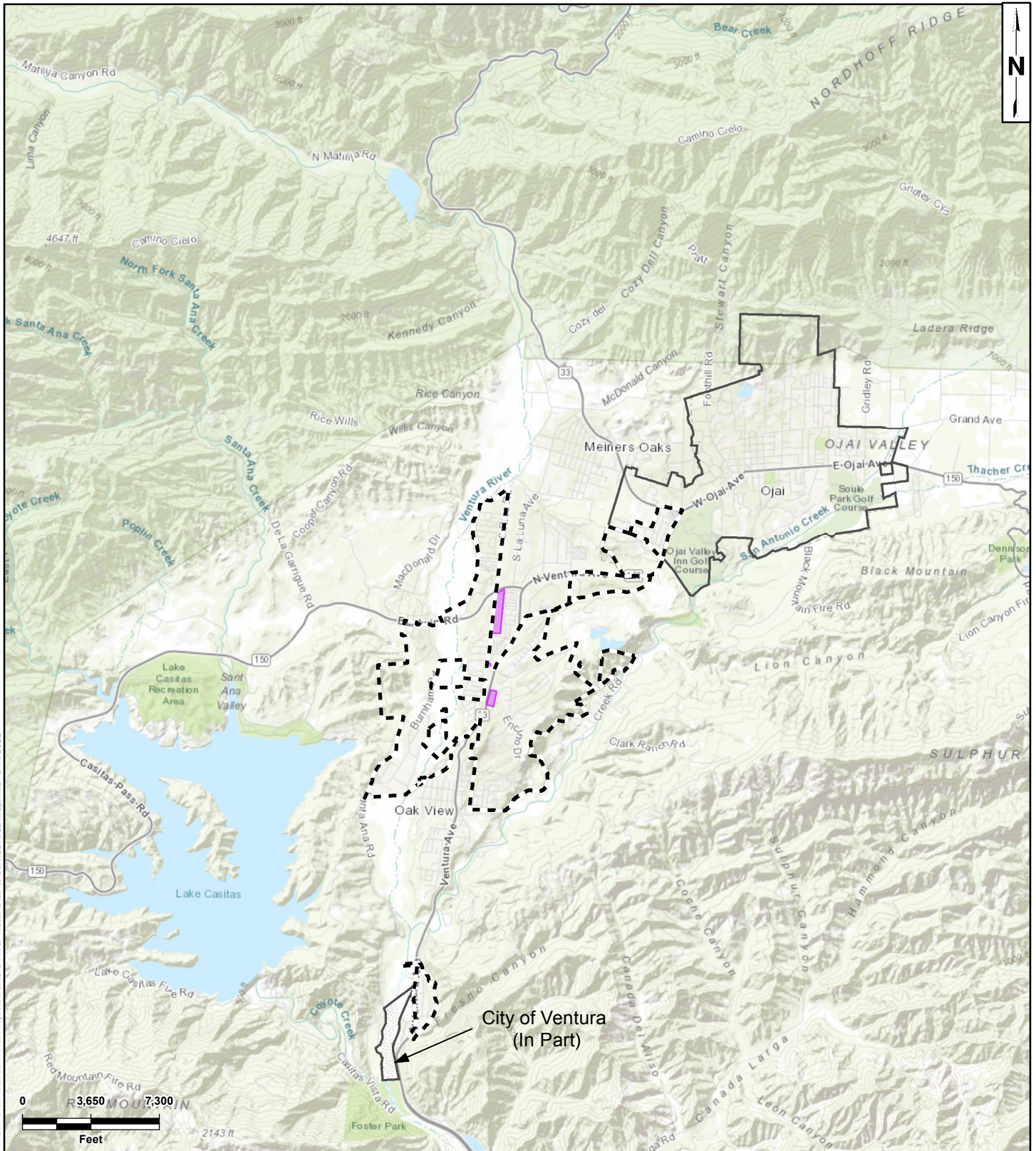
Pursuant to California Resources Code Section 21081.6, a Mitigation Monitoring Plan has been developed to ensure the implementation of mitigation measures necessary to reduce or eliminate identified significant impacts. The Plan will be adopted by the District in conjunction with the findings required under CEQA.

1.8 ADOPTION OF THE FINAL MITIGATED NEGATIVE DECLARATION

The Draft MND will be circulated for review by responsible agencies and interested members of the public for a minimum 30-day period. Following the public review period, the District will prepare responses to all comments received during the review period. Following the end of the review period, a Final MND will be prepared, and will be comprised of the Draft MND and any changes made in response to comments received during circulation of the Draft MND and responses to comments. At the time the Project is approved, the mandated CEQA Findings and a Mitigation Monitoring Plan will be adopted. The District is the lead agency and has the responsibility of determining the adequacy of the MND pursuant to CEQA.

1.9 PREPARERS OF THE INITIAL STUDY

This document was prepared for the District by Matt Ingamells, Rachael Letter, Lucas Bannan and Maribel Sandoval of Padre Associates, Inc.



LEGEND:

- Tico Mutual Annexation Area
- City Boundary
- Ventura River Water District Service Area

MAP EXTENT:



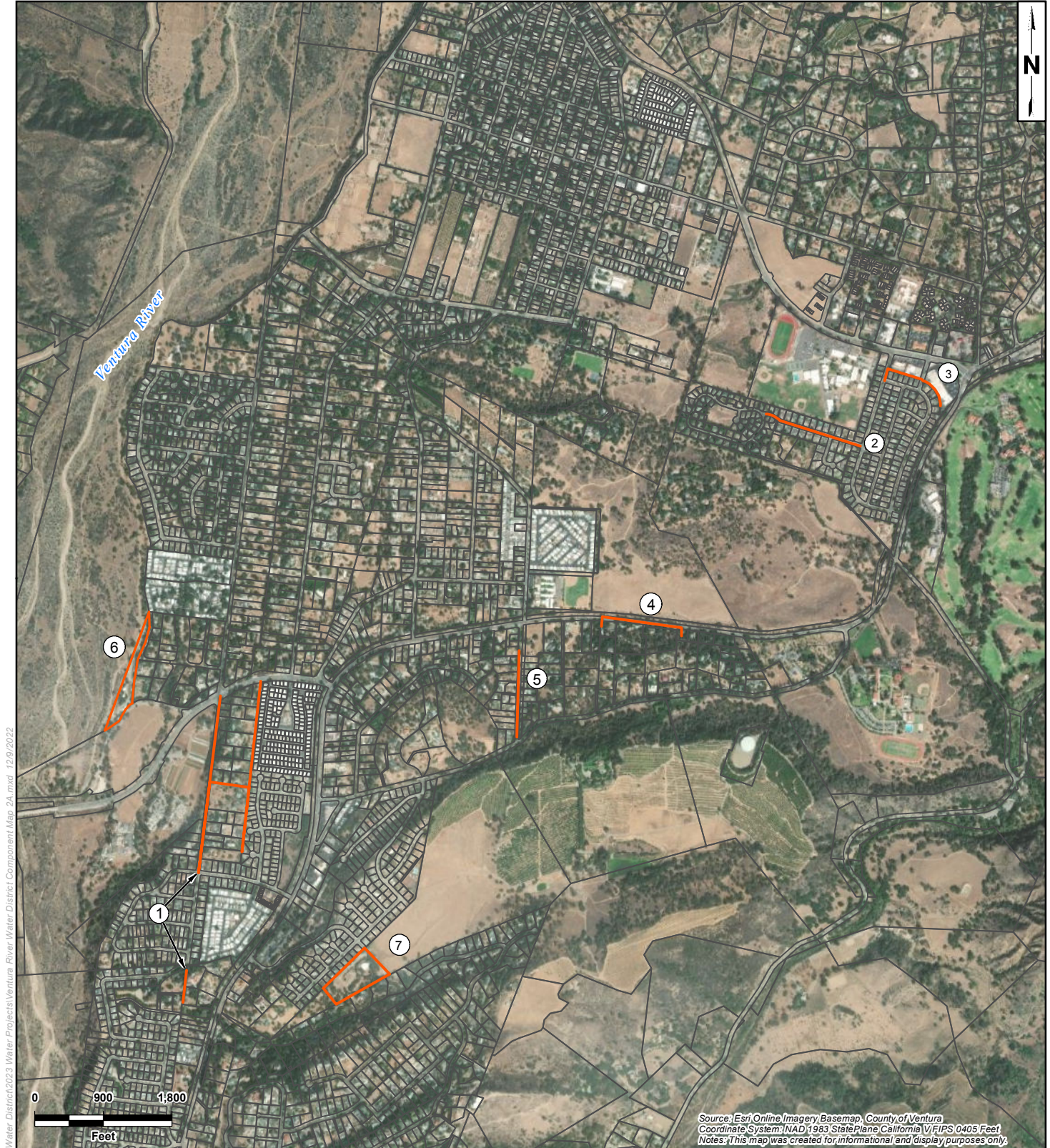
Source: Esri Online Topo Basemap, County of Ventura
 Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet
 Notes: This map was created for informational and display purposes only.

padre
 associates, inc.
 ENGINEERS, GEOLOGISTS &
 ENVIRONMENTAL SCIENTISTS

PROJECT NAME: VENTURA RIVER WATER DISTRICT 2023 WATER PROJECTS VENTURA COUNTY, CA	
PROJECT NUMBER: 2202-1821	DATE: September 2022

**VENTURA RIVER WATER
DISTRICT SERVICE AREA MAP**

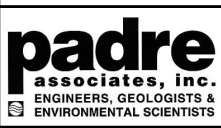
**FIGURE
1**



LEGEND:

- | | |
|--|--------------------------------|
| 1. Tico Mutual annexation improvements | 5. Loma Drive water main |
| 2. Emergency turn-out at Ojai Terrace | 6. Baldwin Site (See Figure 3) |
| 3. Ojai Terrace pipe replacements | 7. Parker Site (See Figure 5) |
| 4. Nova Lane In-Fill Pipe along SR 150 | |
| | County Parcel Boundary |

MAP EXTENT:



PROJECT NAME: VENTURA RIVER WATER DISTRICT 2023 WATER PROJECTS VENTURA COUNTY, CA	
PROJECT NUMBER: 2202-1821	DATE: December 2022

<p>PROJECT COMPONENT MAP - NORTH</p>	<p>FIGURE 2A</p>
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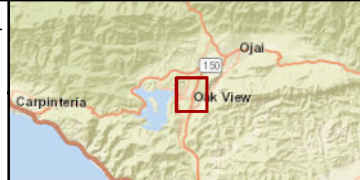


Source: Esri Online Imagery Basemap, County of Ventura
 Coordinate System: NAD 1983 StatePlane California VI FIPS 0405 Feet
 Notes: This map was created for informational and display purposes only.

LEGEND:

- 1. Tico Mutual annexation improvements
- 8. Encino and Thomas PRV vaults
- 9. Santa Ana water main
- County Parcel Boundary

MAP EXTENT:



PROJECT NAME: VENTURA RIVER WATER DISTRICT 2023 WATER PROJECTS VENTURA COUNTY, CA	
PROJECT NUMBER: 2202-1821	DATE: December 2022

**PROJECT COMPONENT MAP -
SOUTH**

**FIGURE
2B**

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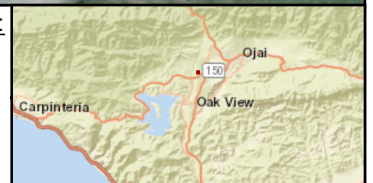


LEGEND:

- Ventura River Water District Service Area
- Parcel Boundary
- 1. Pump and motor replacement

- 2. North Baldwin tank replacement
- 3. Emergency generator sound wall
- 4. New chlorination facility
- 5. Flood/erosion protection
- 6. Flood water drainage improvements

MAP EXTENT:



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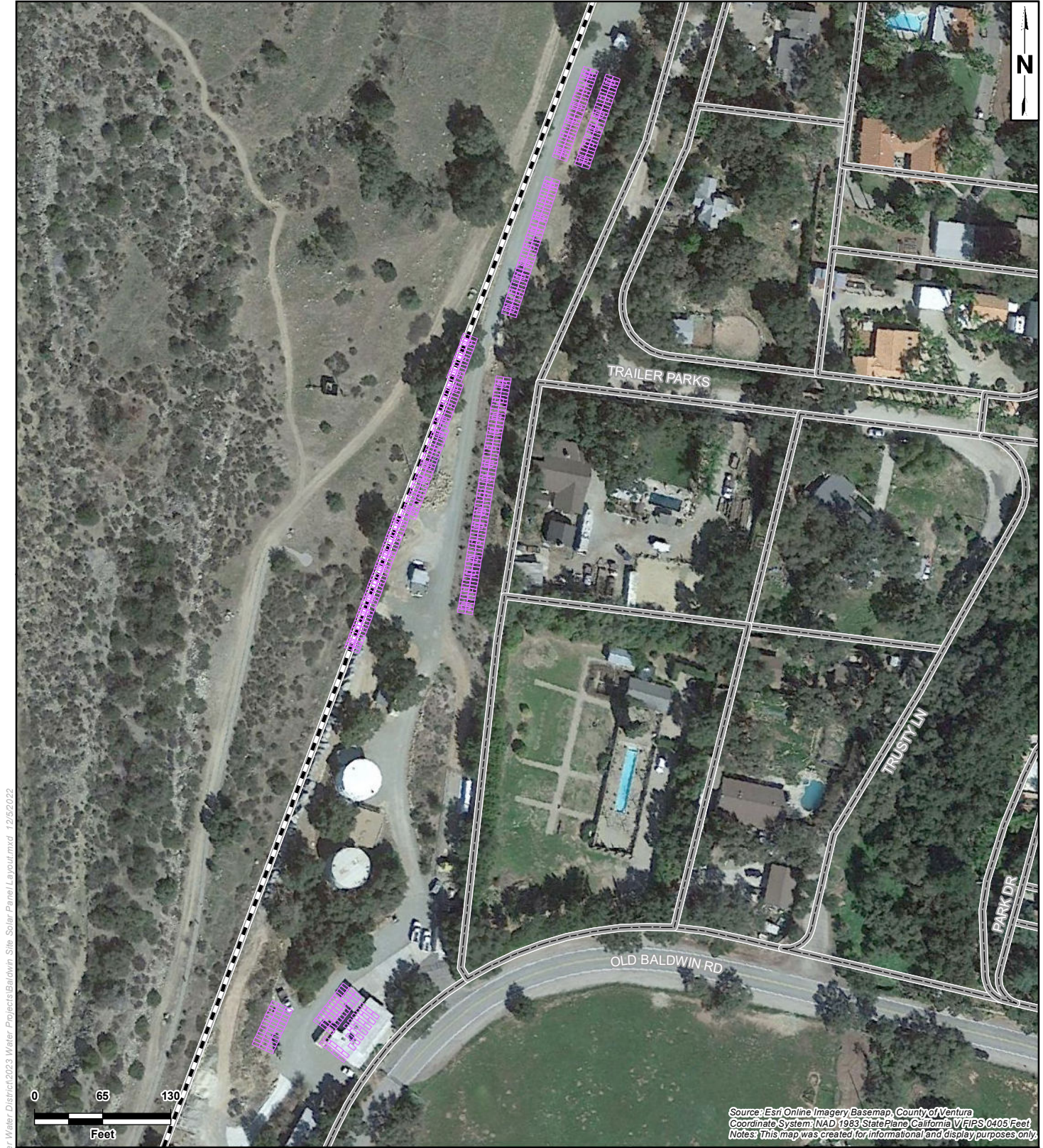
PROJECT NAME:
VENTURA RIVER WATER DISTRICT
2023 WATER PROJECTS
VENTURA COUNTY, CA

PROJECT NUMBER:
2202-1821

DATE:
October 2022

BALDWIN SITE IMPROVEMENTS MAP

FIGURE
3

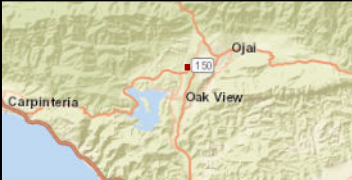


Source: Esri Online Imagery Basemap, County of Ventura
 Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet
 Notes: This map was created for informational and display purposes only.

LEGEND:

- Ventura River Water District Service Area
- Parcel Boundary
- Solar Panel Layout

MAP EXTENT:



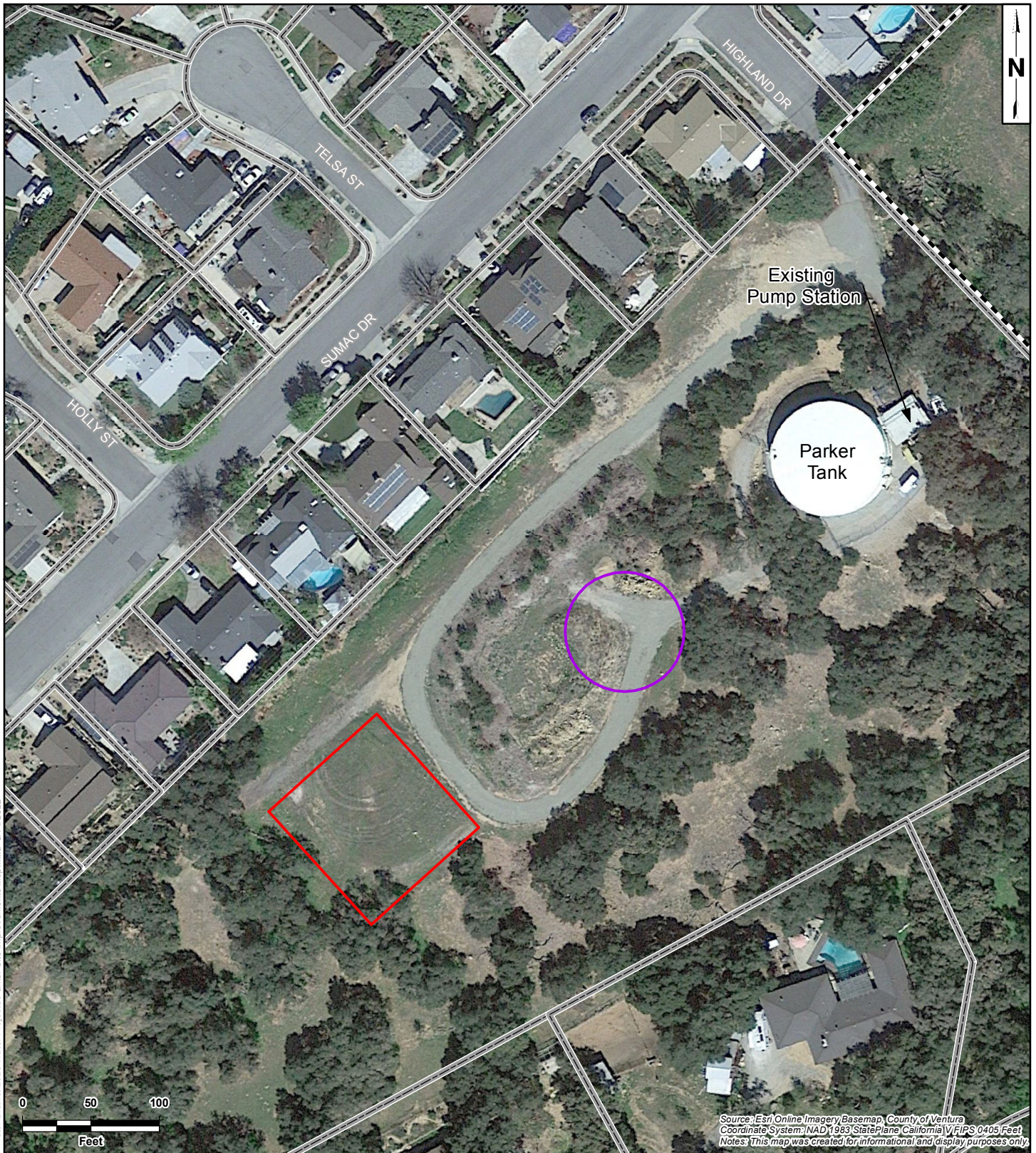
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PROJECT NAME: VENTURA RIVER WATER DISTRICT 2023 WATER PROJECTS VENTURA COUNTY, CA	
PROJECT NUMBER: 2202-1821	DATE: December 2022

**BALDWIN SITE
 SOLAR PANEL LAYOUT**

**FIGURE
 4**

Z:\GIS\Projects\GIS Maps\Map Project\Ventura River Water District\2023 Water Projects\Baldwin Site Solar Panel Layout.mxd 12/5/2022

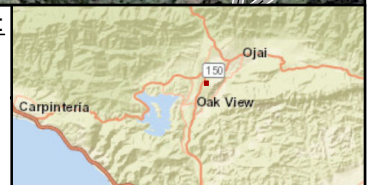


Source: Esri Online Imagery Basemap, County of Ventura
 Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet
 Notes: This map was created for informational and display purposes only.

LEGEND:

- Ventura River Water District Service Area Parcel Boundary
- Solar Panel Array Location
- Proposed Second Tank Location

MAP EXTENT:



<p>padre associates, inc. ENGINEERS, GEOLOGISTS & ENVIRONMENTAL SCIENTISTS</p>	PROJECT NAME: VENTURA RIVER WATER DISTRICT 2023 WATER PROJECTS VENTURA COUNTY, CA		PARKER SITE IMPROVEMENTS MAP	FIGURE 5
	PROJECT NUMBER: 2202-1821	DATE: September 2022		



a. Baldwin tanks (north tank in photo center) and pump building



b. Baldwin percolation area, flood protection boulders in background



c. Baldwin solar panel location near eastern property boundary



d. Tico Mutual improvement pipe alignment near Rice Road



a. Nova Lane infill pipe alignment along the Ojai Valley Trail



b. Parker pump station, existing tank in right background



c. Existing tank in background with berm in right photo center



d. Existing tank surrounded by oak woodland, facing northeast

2.0 PROJECT DESCRIPTION

The Project has been subdivided into three general categories for planning purposes:

- Water main improvements.
- New/replacement water tanks, and pump and drainage improvements.
- Solar energy facilities.

2.1 WATER MAIN IMPROVEMENTS

2.1.1 Tico Service Area

The District plans to annex the Tico service area into its service area. Improvements are needed to address existing deficiencies within the Tico water distribution system including fire water distribution, supply and circulation. These improvements consist of three short sections of new water main to connect the existing mutual water system and customers to the District's distribution system:

- About 500 linear feet of new 8-inch diameter polyvinyl chloride (PVC) buried water main between South Rice Road and the alley parallel to Don Antonio Way (see location 1 on Figure 2A).
- About 100 linear feet of new 6-inch diameter PVC water main within a 12-inch diameter steel casing pipe, bored and jacked under SR 33 just north of Barbara Street, and 125 linear feet 4-inch diameter PVC pipe to connect to new water meters on the east side of SR 33 (see location 1 on Figure 2B).
- About 100 linear feet of new 6-inch diameter PVC water main within a 12-inch diameter steel casing pipe, bored and jacked under SR 33 just north of Willey Street (see location 1 on Figure 2B).

In addition, these improvements include the installation of about 40 water meters and five fire hydrants.

2.1.2 Emergency Turn-out at Ojai Terrace

This improvement involves the construction of an emergency connection to the Casitas MWD system at the northern end of Zone 5 to increase reliability within that zone (due to that area of the system being served by a single pipe). This improvement is comprised of the construction of an interconnection between the Casitas MWD water main in Taormina Lane and the District's water main in Vallerio Avenue. The interconnection would include a new vault (valve, meter, pressure sustaining and reducing valve, etc.) and approximately 1,300 linear feet of 8-inch diameter buried PVC pipe located within the La Paz Drive right-of-way, between Taormina Lane and Vallerio Avenue south of Nordhoff High School (see location 2 on Figure 2A).

2.1.3 Ojai Terrace Pipe Replacements

The Ojai Terrace area has old, undersized asbestos cement pipes that are due to be replaced; therefore, enlarging the pipes is proposed to improve fire water system circulation in the area. This improvement involves installing about 1,300 linear feet of 8-inch diameter buried PVC pipe at two locations (see location 3 on Figure 2A):

- a. Behind both shopping centers (within paved parking/loading areas) near the southwest corner of the SR 33/SR 150 intersection.
- b. Within the public right-of-way along Vallerio Avenue north of the Descanso Avenue intersection.

2.1.4 In-Fill Pipe along SR 33/150

The purpose of this improvement is to provide a looped water main connection just north of SR 33/150 and east of Nova Lane (see location 4 on Figure 2A), which would improve reliability in the outermost portion of Zone 5 and provide a looped pipeline for water to reach the Ojai Terrace neighborhood. Components include:

- About 80 linear feet of new 10-inch diameter PVC water main within a 16-inch diameter steel pipe casing, bored and jacked under SR 150 at each of two locations about 1,020 feet apart.
- About 1,020 linear feet of new 10-inch diameter PVC water main buried under and parallel to the Ojai Valley Trail (equestrian path, to minimize tree removals), along SR 150.

2.1.5 Loma Drive Water Main

The Loma Drive neighborhood is currently served by an old, undersized, asbestos cement pipe that is in need of replacement. About 1,000 linear feet of 8-inch diameter buried PVC pipe would be installed within the Loma Drive right-of-way (see location 5 on Figure 2A).

2.1.6 Re-Plumb Encino and Thomas Pressure Reducing Valve Vaults

The intent of this improvement is to replace the internal, aged welded steel pipes within these two existing pressure reducing vaults with flanged pipes and fittings to increase ease of future repairs. The location of these two existing vaults is shown on Figure 2B (location 8).

2.1.7 Santa Ana Water Main

The intent of this improvement is to replace a thin-walled 4-inch diameter PVC pipeline that is located in a difficult to access private easement and currently serves the area west of the Ventura River near Santa Ana Boulevard. A portion of this water main would be relocated into the public right-of-way along Santa Ana Boulevard and Santa Ana Road. About 2,450 linear feet of 8-inch diameter buried PVC pipe would be installed (see location 9 on Figure 2B).

2.2 NEW/REPLACEMENT WATER TANKS, PUMP AND DRAINAGE IMPROVEMENTS

2.2.1 Second Water Tank at the Parker Site

A 700,000 gallon above-ground, welded steel water tank would be constructed approximately 200 feet southwest of the existing Parker tank (see Figure 5). The tank would be approximately 93.5 feet in diameter and 25.5 feet tall; however, these dimensions may vary slightly upon completion of the detailed engineering design. Based on the preliminary grading plan (see Figure 6), it is anticipated the earthwork footprint for the second water tank would be approximately 0.5 acres. A gravel access road from the existing tank site and a gravel area around the new tank perimeter would be provided. The new tank would be fenced.

2.2.2 Parker Pump Station Improvements

The three booster pumps at the Parker site are proposed to be replaced with VFDs to be connected to the existing pump motors adjacent to the existing Parker tank. Through the addition of the VFDs, the District would be able to operate the pumps at different flow rates based on demands in the system. A portion of the electricity produced by the proposed photo-voltaic solar panel array (see Section 2.3.2) would power these pumps.

2.2.3 New Parker Site Pump Station (Zone 5)

A new packaged, skid-mounted pump station (single VFD pump) would be installed on a concrete pad adjacent to the existing pump station at the Parker site to pump water directly from Parker tank to Zone 5. A portion of the electricity produced by the proposed photo-voltaic solar panel array (see Section 2.3.2) would power this pump.

2.2.4 Baldwin Site Pump Replacement

The existing pumps and motors (two active, one standby) would be replaced with new motors and VFDs within the existing pump station building (see Figure 3). The electrical panels serving the pump motors would also be replaced and located above the 100-year flood water elevation. The intent is that the existing Tesla storage batteries and the proposed solar energy facility (see Section 2.3.1) would be able to start and run the new Baldwin pumps to help reduce the District's utility costs.

2.2.5 North Baldwin Tank Replacement

The existing tank and foundation would be demolished and replaced in kind (approximately 210,000 gallon above-ground welded steel tank, about 40 feet in diameter and 29 feet tall), about five feet north of the existing tank location (see Figure 3). A temporary chlorination station would be provided to serve the south Baldwin tank during the period when the north tank was out of service.

2.2.6 Standby Generator Sound Wall

While sound protection is not required for standby generators, a sound wall would be provided as a courtesy to reduce potentially elevated noise levels at adjacent residences during infrequent standby generator operation (see Figure 3). This sound wall would be located immediately east of the standby generator, about 60 feet long, up to 8-feet tall and composed of reinforced concrete masonry block. The sound wall foundation would be designed to minimize major root loss at two coast live oak trees located approximately two feet from the sound wall location.

2.2.7 Baldwin Pump Station Primary Switch Gear Replacement

The primary switch gear at the Baldwin pump station is over 50 years old and is at the end of its useful life and replacement parts for it are difficult to locate. Therefore, the switch gear and cabinets would be replaced at approximately the same location. In addition, a new concrete pad to support the new switch gear and cabinets may be required.

2.2.8 Baldwin Site Chlorination Facility Upgrade

As part of the north Baldwin tank replacement, the existing chlorination facility located on the northwest side of the tank would be relocated (see Figure 3) to raise it above the 100-year flood water elevation, to improve the accessibility of this facility and expand the working area around the tank and chlorination facility. The proposed upgrade includes a concrete pad, pumps, piping and a new 3,000-gallon chemical tank which would allow the District to dilute and utilize a 6 percent sodium hypochlorite solution for disinfection of well water.

2.2.9 Baldwin Site Flood/Erosion Protection

Bank protection is proposed to provide protection against flooding and related erosion. This bank protection would provide four feet of freeboard above the 100-year flood water elevation and prevent high-energy scouring flows from entering the Baldwin site but would continue to allow back water to enter the site. The bank protection would extend about 330 feet along the District's western property boundary (adjacent to the tanks), then extend to the northeast to protect the tanks and pump station (see Figure 3). The design of the bank protection would be refined based on geotechnical recommendations, but would generally consist of:

- Existing on-site granite boulders (see Figure 7.b, ranging from 5 to 15 tons in size) buried in a trench about 5 feet deep.
- Cement-sand slurry backfill of the trench.
- Concrete foundation over the boulders/backfill.
- Reinforced concrete masonry unit wall (about four feet tall) installed on the concrete foundation.

2.2.10 Baldwin Site Flood Water Drainage Improvements

Proposed flood water drainage improvements include (see Figure 3):

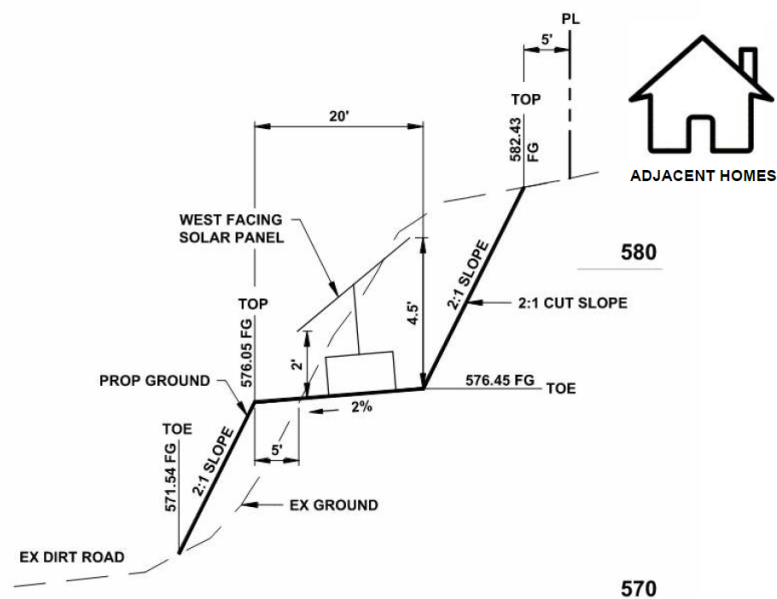
- Replacement of the existing metal culvert pipes with corrugated high-density polyethylene pipes under the existing berm along the western property boundary.
- Excavation/regrading of the percolation area west of the south Baldwin tank.

- Install an outlet weir at the percolation area.
- Install gravel surface on access roads near the tanks.

2.3 SOLAR ENERGY FACILITIES

2.3.1 Baldwin Site

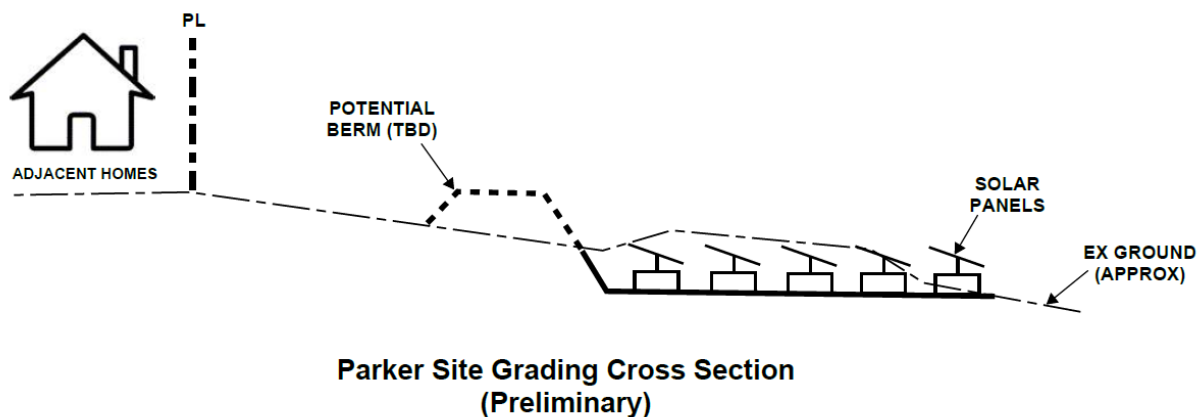
Due to space and topographic limitations, a 265.5 KW photo-voltaic solar panel system is proposed, with remaining energy needs being provided by SCE. This system would be comprised of approximately 559 solar panels, likely 14.4 feet long, by 3.5 feet wide. The solar panels would be supported by above-ground pre-cast concrete ballast blocks, eight-feet-long by four feet-wide. The solar panels would be located on both sides of the access road north of the Baldwin tanks, and possibly on the roof of the District office building, relocated carport and proposed equipment/vehicle parking area (see Figure 4). The solar panels would be tilted towards the west. Earthwork would be required to provide a level pad for the solar panels and lower the panels to reduce the visual impact (see conceptual grading cross-section below), primarily east of the access road. An electric vehicle charging station would also be provided near the District's office building.



Baldwin Site Grading Cross Section

2.3.2 Parker Site

A 184 KW photo-voltaic solar panel system is proposed, with remaining energy needs being provided by SCE. This system would be composed of approximately 260 solar panels, likely 14.4 feet long, by 3.5 feet wide. The solar panels would be supported by above-ground pre-cast concrete ballast blocks, eight-feet-long by four feet-wide. The solar panels would be located southwest of the proposed new tank location (see Figure 5). The solar panels would be tilted towards the southeast. Earthwork would be required to provide a level pad for the solar panels and lower the panels to reduce the visual impact (see conceptual grading cross-section below).



2.4 CONSTRUCTION

2.4.1 Pipe Replacements

Pipeline installation methods would be conventional trenching which includes cutting and removal of pavement as needed, excavation of a trench, preparation of the pipe bed, installation of the pipeline, backfilling the trench, compacting soils and restoring the surface to original conditions. The pipeline trench would vary from about three to six feet deep and three to four feet wide depending on the pipe diameter and local conditions.

Pipe installation under SR 33 or SR 150 would be conducted using boring and jacking, micro-tunneling or similar trenchless methods. Typical installation would involve the construction of pits on each side of the roadway, and a machine is used to bore a horizontal hole under the roadway, while inserting a steel casing into the hole, and the pipe would be inserted into the casing and connected to the in-place segments of pipeline on either side of the roadway crossing.

2.4.2 Water Tank Construction

New Parker Tank. Site preparation would include grubbing, excavation and rough grading in accordance with the recommendations of the geotechnical report prepared by Yeh and Associates. Cuts and fills up to about 15 feet are anticipated. Benches would be constructed on any fills that exceed 20 feet in height. Earth material excavated for the tank foundation and proposed solar array area will be processed for structural backfill to the extent feasible to minimize the amount of imported material, with the balance of the structural backfill imported. This may require some rock crushing to make the excavated material suitable for structural backfill.

A concrete ring wall foundation would be constructed, and the steel tank assembled on-site. Piping and valves would be installed to connect the new tank to the existing pump station and inlet/outlet pipelines. Storm drains, access roads and fencing would then be installed.

Staging of equipment and materials would be provided at the existing Parker site. Traffic control measures would be used when construction activities may affect traffic flow on Sumac Drive. Temporary lane closure may be necessary during short periods when heavy equipment and materials are brought to the site. Standard traffic control methods acceptable to the Ventura County Public Works Agency would be implemented.

Replacement Baldwin Tank. The existing north tank and foundation would be demolished. Site preparation would include excavation and grading in accordance with the recommendations of the geotechnical report prepared by Yeh and Associates. A new concrete ring wall foundation would be constructed, and the welded steel tank assembled on-site. Piping and valves would be installed to connect the new tank to the existing pump station, upgraded chlorination facility and inlet/outlet pipelines.

Staging of equipment and materials would be provided at the existing Baldwin site. Traffic control measures would be used when construction activities may affect traffic flow on Old Baldwin Road. Temporary lane closure may be necessary during short periods when heavy equipment and materials are brought to the site. Standard traffic control methods acceptable to the Ventura County Public Works Agency would be implemented.

2.4.3 Baldwin Site Flood/Erosion Protection and Drainage Improvements

Excavators would be used to construct a trench west of the Baldwin tanks, and a large crane used to place the existing granite boulders in the trench. Concrete trucks and a concrete pump would be used to backfill the trench with a cement-sand slurry and place the overlying concrete foundation. The reinforced concrete masonry wall would be constructed by hand crews.

Flood water drainage improvements would be implemented by an excavator and dozer (or wheeled loader) to excavate and grade the percolation area and re-grade the access road. Gravel for the access road would be provided by trucks and compacted using a roller.

2.4.4 Solar Energy Facilities

Level pads would be created for the solar panel arrays using heavy equipment (such as dozers, wheeled loaders, excavators) at both the Baldwin site and Parker site. Earth material would be balanced on-site, with no export. This earthwork would likely be coordinated with other Project components, such as drainage improvements at the Baldwin site and new tank construction at the Parker site. Electrical conduits would be installed, and concrete ballast blocks would be placed on the level pads, using a backhoe, excavator or off-road crane. The solar panels would be installed with support systems on the ballast blocks and electrical control panels installed.

2.4.5 Implementation Schedule

Construction of the Project components is anticipated to start in late 2023; however, the precise sequence of implementation of each component has not been determined at this time. For the purposes of estimating peak year greenhouse gas emissions, it is assumed that the second Parker tank and each of the water main improvements (see Section 2.1) would be under construction during a peak 12-month period.

2.5 OPERATION

Once constructed, the proposed new facilities and improvements would be operated by the District with no major changes in existing methods and timing. The amount of groundwater and Casitas MWD water pumped, stored, chlorinated and delivered to District customers would not change. No new District staff or contractors would be required to operate and maintain the proposed Project components.

The proposed solar energy facilities are anticipated to reduce the District's annual purchase of electricity from SCE from 349,618 to 129,345 KW-hours.

3.0 ENVIRONMENTAL IMPACT ANALYSIS

This section provides an assessment of the potential environmental impacts associated with the Project. The analysis is organized by environmental issue area (e.g., aesthetics, agricultural resources, air quality). Each issue area begins with a checklist, which identifies criteria that have been used to assess the significance or insignificance of each potential impact. The checklists used in this Initial Study were taken from the 2021 update to the State CEQA Guidelines prepared by the Association of Environmental Professionals. The checklists also indicate the conclusions made regarding the potential significance of each impact. Brief explanations of each conclusion are provided after the checklists.

Impact classifications used in the checklists are the following:

- **Potentially Significant Impact.** An impact that could be significant, and requires further study in an Environmental Impact Report (EIR).
- **Less than Significant Impact with Mitigation.** An impact that is potentially significant, but can feasibly be mitigated to a less than significant level with measures identified in the Initial Study.
- **Less than Significant Impact.** An impact that would not be significantly adverse.
- **No Impact.** Applied when the Project would not result in any impact to a specific issue area.

3.1 AESTHETICS

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. In non-urban areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.1.1 Setting

The 2023 Water Projects are located primarily with Ventura County's Ojai Valley Area Plan boundaries; however, the two Ojai Terrace projects are located within the City of Ojai. The Project component sites are located within a mostly rural area with views of the foothills of the Santa Ynez Mountains.

As part of the Ojai Valley Area Plan and 2040 General Plan, Ventura County has designated scenic areas, which include areas surrounding Lake Casitas and Matilija Reservoir, as well as prominent ridge lines. The ridgeline located approximately 0.4 miles east of the second Parker tank site is located within a County scenic resource protection zone. In addition, State Routes 33 and 150 through the Project area are considered eligible State Scenic Highways. Table 1 provides a summary of Project site locations in proximity to scenic resources.

Table 1. Site Locations Relative to Scenic Resources

Site	Scenic Resource	Discussion
Tico Mutual Annexation: SR 33 crossing near Willey Street	SR 33	Pipe would be buried under SR 33
Tico Mutual Annexation: SR 33 crossing near Barbara Street	SR 33	Pipe would be buried under SR 33
Nova Lane In-fill pipe along SR 150	SR 33/150	Pipe would be buried under and along SR 150

3.1.2 Environmental Thresholds

As indicated in the checklist provided in the State CEQA Guidelines, a project may have a significant impact with respect to aesthetics if it results in any of the following:

- Have a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings. If in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality.
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

3.1.3 Impact Analysis

- a. None of the proposed 2023 Water Projects are located in proximity to any scenic vistas and would not affect public views of these scenic resources (such as Lake Casitas). The proposed second Parker tank would not affect public views of the County scenic resource protection zone located to the east.

- b. Some of the proposed 2023 Water Projects are located in proximity to an eligible State scenic highway (see Table 1). However, all of these Project facilities would be buried, except the proposed second Parker tank. This tank would not be visible from SR 33, due to the existing on-site vegetated berm and other intervening vegetation, topography and structures. Therefore, significant impacts to the visual character and quality of public views would not occur.
- c. The proposed second tank would be located at the same elevation as the existing tank, views of which from adjacent parcels on Sumac Drive are obscured by a vegetated berm. The proposed tank may be taller than the existing tank, but views would be partially obscured by the existing vegetated berm. Although tree removal would be required to provide space for the second tank at the Parker site, this area is not visible to the public due to intervening trees. Installation of the infill pipe east of Nova Lane may result in the removal of a few trees but would not be noticeable due to the large number of trees along the Ojai Valley Trail and existing small gaps in the tree rows. Therefore, the proposed Project would not significantly degrade the visual character or quality of public views.
- d. Additional security lighting is not proposed at the Parker site or Baldwin site. Therefore, an increase in light or glare is not anticipated.

3.1.4 Mitigation Measures and Residual Impacts

None required.

3.2 AGRICULTURAL AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of forest land, timberland or timberland zoned Timberland Production?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.2.1 Setting

The California Department of Conservation (2022) classifies all Project component sites as Urban and Built-Up Land, except the Baldwin site (Non-agricultural or Natural Vegetation) and the Parker site (Grazing Land). The only site with agricultural zoning is the Parker site (AE-40 ac).

3.2.2 Environmental Thresholds

The following thresholds from the Ventura County Initial Study Assessment Guidelines are used to determine the significance of impacts to agricultural resources:

- The project would have a significant impact if it would either directly or indirectly result in the loss of important agricultural soils exceeding 5 acres of farmlands classified as “Prime” or “Statewide Importance” in agricultural areas. The significance threshold for “Unique” farmlands is 10 acres in agricultural areas.
- A proposed non-agricultural land use may significantly conflict with adjacent agricultural operations if it would be located within 300 feet of classified farmland (without vegetative screening) unless it qualified for a waiver or deviation from the distance standard.

3.2.3 Impact Analysis

- a. The Project would not result in the conversion of farmland to non-agricultural use and no loss of farmland soils would occur. The Parker site is not used for agriculture and does not support classified farmland, such that construction of the second tank would not displace agricultural uses or classified farmland. The nearest classified farmland is Unique Farmland located approximately 2,100 feet to the northeast of the Parker tank site. Therefore, construction and operation of the second Parker tank would not conflict with any adjacent agricultural operations.
- b. The Project would not conflict with any agriculturally zoned areas or any Williamson Act contracts. Although located in an agriculturally zoned area, the second Parker tank would not conflict with this zoning.
- c. The proposed Project components would not conflict with any areas zoned for forestry and would not cause any forest land or timberlands to be rezoned.
- d. The proposed Project would not result in the loss or conversion of forest land to non-forest uses.
- e. Projects that involve public infrastructure (e.g., roads, power, water, sewer) in a previously undeveloped area may lead to inducement of population growth and associated conversion of agricultural lands or forest lands. The proposed Project is limited to improving water supply facilities for the existing service area and would not be used to support new development or population growth.

3.2.4 Mitigation Measures and Residual Impacts

None required.

3.3 AIR QUALITY

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.3.1 Setting

Climatological Setting. The Project area is characterized by cool winters and moderate summers typically tempered by cooling sea breezes. Summer, spring and fall weather is generally a result of the movement and intensity of the semi-permanent high pressure area located several hundred miles to the west. Winter weather is generally a result of the size and location of low pressure weather systems originating in the North Pacific Ocean.

The Project component sites are located within or adjacent to the City of Ojai, where the maximum average monthly temperature is 91.5 degrees Fahrenheit (°F) in August, and the minimum average monthly temperature is 35.9 °F in January. The average monthly precipitation ranges from 4.94 inches in February to 0.02 inches in July, with an average annual precipitation of 21.2 inches. Air quality in the County is directly related to air pollutant emissions and regional topographic and meteorological factors.

Criteria Pollutants. Criteria air pollutants are those contaminants for which State and Federal ambient air quality standards have been established for the protection of public health and welfare. Criteria pollutants include ozone (O₃) carbon monoxide (CO), oxides of nitrogen (NO_x), sulfur dioxide (SO₂), particulate matter with a diameter of 10 microns or less (PM₁₀) and particulate matter with a diameter of 2.5 microns or less (PM_{2.5}).

Regulatory Overview. Air pollution control is administered on three governmental levels. The U.S. Environmental Protection Agency (USEPA) has jurisdiction under the Clean Air Act, the California Air Resources Board (CARB) has jurisdiction under the California Health and Safety Code and the California Clean Air Act, and local districts (Ventura County Air Pollution Control District [VCAPCD]) share responsibility with the CARB for ensuring that all State and Federal ambient air quality standards are attained.

California is divided geographically into air basins for the purpose of managing the air resources of the State on a regional basis. An air basin generally has similar meteorological and geographic conditions throughout. The Project component sites is situated in the South Central Coast Air Basin, which encompasses the counties of Ventura, Santa Barbara and San Luis Obispo. The USEPA and CARB classify an area as attainment, unclassified, or nonattainment depending on whether or not the monitored ambient air quality data shows compliance, insufficient data available, or non-compliance with the ambient air quality standards, respectively.

Attainment Status. Proposed facilities would be located in western Ventura County (South Central Coast Air Basin). Ventura County has been designated by CARB and USEPA as unclassified or in attainment of all criteria ambient air pollutant standards with the exception of:

- Federal 2015 8-hour ozone standard: non-attainment, classified as “serious”.
- California 1-hour ozone standard: non-attainment.
- California particulate matter less than 10 microns (PM₁₀) standard: non-attainment.

According to the baseline (2012) air pollutant emissions inventory presented in the VCAPCD’s 2016 Air Quality Management Plan, mobile sources (on-road vehicles, trains, aircraft, marine vessels, farm equipment) account for about 45 percent of the Reactive Organic Compound (ROC) emissions and 88 percent of the NO_x emissions in the County.

Air Quality Planning. Federal. The Federal government first adopted the Clean Air Act (CAA) in 1963 to improve air quality and protect citizens’ health and welfare, which required implementation of the National Ambient Air Quality Standards (NAAQS). The NAAQS are revised and changed when scientific evidence indicates a need. The CAA also requires each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP). The CAA Amendments of 1990 added requirements for states with non-attainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is modified periodically to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies.

The USEPA has been charged with implementing Federal air quality programs, which includes the review and approval of all SIPs to determine if they conform to the mandates of the CAA and its amendments, and to determine whether implementation of the SIPs will achieve air quality goals. If the USEPA determines that a SIP is inadequate, a Federal Implementation Plan that imposes additional control measures may be prepared for the non-attainment area. Failure to submit an approvable SIP or to implement the SIP within the mandated time frame may result in application of sanctions to transportation funding and stationary air pollution sources within the air basin.

Pursuant to the CAA, State and local agencies are responsible for planning for attainment and maintenance of the NAAQS. The USEPA classifies air basins (i.e., distinct geographic regions) as either “attainment” or “non-attainment” for each criteria pollutant, based on whether the NAAQS have been achieved. Some air basins have not received sufficient analysis for certain criteria air pollutants and are designated as “unclassified” for those pollutants. The VCAPCD and CARB are the responsible agencies for providing attainment plans and for demonstrating attainment of these standards within the Project area.

The VCAPCD completed the 2016 update to the County's Air Quality Management Plan (AQMP) on February 14, 2017 to build on past AQMPs, including a strategy to attain the 2008 Federal 8-hour ozone standard, photochemical modeling to demonstrate the strategy would ultimately result in attainment of the Federal ozone standard, and a demonstration that reasonable further progress towards attainment of the Federal 8-hour ozone standard would occur. The 2016 AQMP includes control strategies to be implemented both locally (Ventura County) and Statewide to reduce air pollutant emissions as needed to attain the Federal 8-hour ozone standard. The 2016 AQMP includes four new stationary source control measures to be adopted as rules to facilitate attainment of the Federal 8-hour ozone standard. ~~Ventura County is anticipated to attain the 2015 Federal 8-hour ozone standard (0.070 ppm) by 2025 (VCAPCD, 2017).~~

The VCAPCD adopted a 2022 AQMP on December 13, 2022 which includes emission control measures carried forward from previous Ventura County AQMPs plus new and further study emission control measures. It also includes a transportation conformity budget that sets the maximum amount of on-road motor vehicle emissions produced while continuing to demonstrate progress towards attainment. Ventura County is anticipated to attain the 2015 Federal 8-hour ozone standard (0.070 ppm) by 2027 (VCAPCD, 2022).

State. The California Clean Air Act (CCAA), signed into law in 1988, requires all areas to achieve and maintain attainment with the California Ambient Air Quality Standards (CAAQS) by the earliest possible date. The CCAA, enforced by CARB, requires that each area exceeding the CAAQS develop a plan aimed at achieving those standards. The California Health and Safety Code, Section 40914, requires air districts to design a plan that achieves an annual reduction in district-wide emissions of 5 percent or more, averaged every consecutive 3-year period. To satisfy this requirement, the local air districts are required to develop and implement air pollution reduction measures, which are described in their clean air plans and incorporated into the SIP, and outline strategies for achieving the CAAQS for criteria pollutants for which the region is classified as non-attainment.

In 1991, the VCAPCD adopted an AQMP to facilitate attainment of the California ozone standards. The CCAA mandates that every three years areas update their clean air plans to attain the State ozone standard. The most recent triennial update (dated November 2015) indicates Ventura County is making significant progress towards attaining the California 1-hour ozone standard. The "every feasible measure" analysis conducted for the update identified five existing VCAPCD rules for enhancement and three possible new control measures to facilitate progress toward attainment.

Applicable Regulatory Requirements. The Portable Equipment Registration Program (PERP) establishes a uniform State-wide program to regulate portable engines and portable engine-driven equipment units. The term "portable" is defined as not residing at a location for more than 12 consecutive months. Once registered in the PERP, engines and equipment units may operate throughout California without the need to obtain individual permits from local air districts. To be eligible for the PERP, an engine must be certified to the current emission tier (non-road, on-highway or marine). The PERP does not apply to self-propelled equipment but would apply to engines used in stationary construction equipment.

VCAPCD rules and regulations applicable to activities to be conducted under the proposed Project are limited to potential nuisances (typically dust and odors):

- Rule 51 (Nuisance): A person shall not discharge from any source whatsoever such quantities of air contaminants or other material in violation of Section 41700 of the Health and Safety Code which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety or any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.
- Rule 55 (Fugitive Dust): This Rule regulates visible dust beyond the property line, opacity (amount of light blocked by a dust cloud), and track-out of soil onto adjacent roads and applies to construction activities. This Rule applies to dust generated by construction.

Air Quality Monitoring. The air quality of Ventura County is monitored by a network of five stations, operated by the CARB and the VCAPCD. The Ojai monitoring station is the nearest station, located approximately 1.9 miles east-northeast of the nearest Project component (no. 3 on Figure 2A). Table 2 lists the monitored maximum concentrations and number of exceedances of air quality standards for the years 2019 through 2021. As shown in Table 2, ozone concentrations monitored at the Ojai station did not exceed the State 1-hour standard and exceeded the State 8-hour ozone standard a total of nine days from 2019 through 2021. PM_{2.5} concentrations did not exceed the Federal 24-hour standard at the Ojai monitoring station from 2019 through 2021.

Table 2. Summary of Ambient Air Pollutant Data Collected at the Ojai Monitoring Station

Parameter	Standard	Year		
		2019	2020	2021
Ozone – parts per million (ppm)				
Maximum 1-hr concentration monitored		0.091	0.092	0.078
Number of days exceeding CAAQS	0.095	0	0	0
Maximum 8-hr concentration monitored		0.077	0.084	0.068
Number of days exceeding 8-hour ozone NAAQS & CAAQS	0.070	1	8	0
PM _{2.5} – micrograms per cubic meter (µg/m³)				
Maximum 24-hour sample		13.5	33.0	20.6
Number of samples exceeding NAAQS	35	0	0	0

Sensitive Receptors. Some land uses are considered more sensitive to air pollution than others due to population groups and/or activities involved. Sensitive population groups include children, the elderly, the acutely ill and the chronically ill, especially those with cardio-respiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present.

Recreational land uses may be considered moderately sensitive to air pollution. Although exposure periods are generally short, exercise places a high demand on respiratory functions, which can be impaired by air pollution. In addition, noticeable air pollution can detract from the enjoyment of recreation. Industrial and commercial areas are considered the least sensitive to air pollution. Exposure periods are relatively short and intermittent, as the majority of the workers tend to stay indoors most of the time. In addition, the working population is generally the healthiest segment of the public.

Residential land uses occur near all Project component sites. The Nordhoff High School property boundary is located approximately 150 feet north of the proposed emergency turn-out along La Paz Drive (Component 2 in Figure 2A) and approximately 150 feet west of proposed water main improvements within Vallerio Avenue in the Ojai Terrace area (Component 3 in Figure 2A). A trail within the Ventura River Preserve is located just west of the Baldwin site.

3.3.2 Environmental Thresholds

The VCAPCD has prepared Air Quality Assessment Guidelines (2003) for the preparation of air quality impact analyses. The Guidelines indicate that projects within the County would have a significant impact on the environment if they would:

- Result in daily emissions exceeding 25 pounds of reactive organic compounds (ROC) or oxides of nitrogen (NO_x).
- Cause a violation or make a substantial contribution to a violation of an ambient air quality standard.
- Directly or indirectly cause the existing population to exceed the population forecasts in the most recently adopted Ventura County Air Quality Management Plan (AQMP).
- Be inconsistent with the AQMP and emit greater than 2 pounds per day ROC or NO_x.

Due to the temporary, short-term nature of construction emissions, the VCAPCD does not apply the quantitative emissions thresholds for ROC and NO_x to construction activities. The VCAPCD does require that emission reduction measures be implemented during construction to reduce exhaust emissions and fugitive dust generation.

3.3.3 Impact Analysis

- a. Projects that cause local populations to exceed population forecasts in the VCAPCD's AQMP may be inconsistent, as exceeding population forecasts can result in the generation of air pollutant emissions beyond those which have been projected in the AQMP. The proposed Project would not provide a new source of potable water, provide service to new customers or otherwise induce land development or population growth. Overall, the proposed Project would have no effect on implementation of the AQMP and progress towards attainment of ozone air quality standards.
- b. The proposed Project would not result in any increase in the District's service area or additional water production or distribution activities that may generate air pollutant emissions. Construction of proposed components would generate temporary air pollutant emissions, primarily exhaust emissions from heavy-duty trucks, worker vehicles and heavy equipment. Table 3 provides an estimate of peak day construction emissions, based on site preparation (earthwork) for the second Parker tank. If implemented, rock crushing may generate an additional 2.1 pounds per day of PM₁₀ emissions. These emissions are not included in Table 3 because rock crushing would not occur on a peak day, when the maximum amount equipment would be operating.

Due to the temporary, short-term nature of construction emissions, the VCAPCD has not developed emissions thresholds, but requires standard emissions reduction measures be implemented during construction to reduce exhaust emissions and fugitive dust generation. These standard VCAPCD emissions reduction measures would be implemented as applicable during construction of Project components and are listed in Section 3.3.4. Construction-related air pollutant emissions are considered a less than significant impact to air quality.

Table 3. Peak Day Construction Air Pollutant Emissions (pounds)

Source	NO _x	ROC	CO	PM ₁₀
Mobile and stationary equipment	30.2	3.0	25.7	1.4
Motor vehicles	2.0	0.1	1.1	0.2
Fugitive dust	0.0	0.0	0.0	149.4
Total	32.2	3.1	26.8	151.0

Air pollutant emissions associated with operation of the District's water production, treatment, storage and distribution facilities would not substantially change. However, operation of the standby generator would be reduced because it would not be needed to start the new Baldwin pumps and the proposed solar energy facilities would reduce the need to use the standby generator during power outages. In addition, the proposed solar energy facilities would reduce the District's demand for off-site energy (grid power) which would also reduce air pollutant emissions associated with power generation by SCE. Overall, air pollutant emissions generated by District operations would be decreased.

- c. Residences located near the Project component construction sites, trail users near the Baldwin site and students at Nordhoff High School may be considered sensitive receptors. Construction activities would generate fugitive dust and exhaust emissions. Project-related exposure of these sensitive receptors to air pollutants would be minimal due to the following factors:
- Emissions would be mostly short-term (a few weeks at water main improvement sites).
 - Emissions would be minimized through implementation of emissions reduction measures recommended by the VCAPCD (see Section 3.3.4).
 - Intervening topography and/or vegetation at the Baldwin and Parker sites would reduce emissions at sensitive receptors.
 - The ambient air quality in the region is generally very good.

Therefore, impacts to sensitive receptors would be less than significant.

- d. The proposed Project would not result in the generation of any new or modified odors.

3.3.4 Mitigation Measures and Residual Impacts

Air pollutant emissions reduction measures recommended by the VCAPCD Air Quality Assessment Guidelines (revised 2003) will be incorporated into the Project including:

- The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.
- Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.
- All trucks shall be required to cover their loads as required by California Vehicle Code §23114.
- All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.
- Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until plant growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.
- Signs shall be posted on site limiting traffic to 15 miles per hour or less.

- During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on site activities and operations from being a nuisance or hazard, either off site or on site. The site superintendent/supervisor shall use his/her discretion in conjunction with the APCD in determining when winds are excessive.
- Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
- Personnel involved in grading operations, including contractors and subcontractors, shall be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.
- Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated as needed to prevent blowing fugitive dust off site.
- All Project construction and site preparation operations shall be conducted in compliance with all applicable APCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust) and Rule 10 (Permits Required).
- Signs displaying the APCD complaint line telephone number (805/303-3700 during business hours; 805/303-3708 after hours) shall be posted in a prominent location visible to the public.
- Off-road construction equipment shall utilize engines certified to the Federal Emissions Standard Category of Tier 3 or Tier 4, if available. Based on Federal exhaust emission standards, using Tier 3 certified engines instead of Tier 2 certified engines would reduce NOx and non-methane hydrocarbon emissions by 39 percent.

3.4 BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.4.1 Setting

Botanical Resources. Baldwin Site. A botanical survey was conducted at the Baldwin site on September 8, 2022, which included the entire 4.21 acre site and adjacent areas. A total of 36 plant species were observed, including 21 native species (58 percent). Twelve species listed as invasive by the California Invasive Plant Council were observed, including one species rated as highly invasive (red brome), six species rated as moderately invasive, and five species considered to have limited invasiveness.

Parker Site. A botanical survey was conducted at the Parker site on September 15, 2022, which included the proposed tank construction earthwork footprint, construction staging and laydown areas, new pump station site and the solar panel layout area. A total of 63 plant species were observed, including 26 native species (41 percent). This species list includes those plant species observed by Padre Associates biologists during a survey conducted for the District's pipeline replacement project at the site in 2012. Eighteen species listed as invasive by the California Invasive Plant Council were observed, including two species rated as highly invasive (freeway iceplant and salt-cedar), eight species rated as moderately invasive, and eight species considered to have limited invasiveness.

Vegetation. Baldwin Site. This site is highly disturbed due to the presence of existing facilities (tanks, pumps, wells, standby generator, etc.) and ongoing maintenance activities. Coast live oak trees (*Quercus agrifolia*) surround the existing tanks, are located adjacent to the District's office and along much of the eastern property boundary. In addition, two coast live oak trees are located adjacent to the proposed standby generator sound wall site. The understory of these oak trees is virtually absent (see Figure 7.b), due to ongoing maintenance or fuel modification activities. However, non-native weedy species occur under some of the oak trees along the eastern property boundary.

The proposed solar panels would be located in fuel modification areas, which are periodically treated with herbicide and occasionally cleared using string trimmers (see Figure 7.c). Dominant plant species observed within the proposed solar panel layout areas were summer mustard (*Hirschfeldia incana*) and horehound (*Marrubium vulgare*).

Parker Site. Vegetation of this site is composed of coast live oak woodland surrounding disturbed areas associated with existing District operations at the site. The understory of the coast live oak woodland is mostly sparse, but some areas support annual grasses and chickweed (*Stellaria media*). There are two planted berms at the site, one north of the existing tank and one north of the proposed location of the second tank. The berm north of the existing tank was constructed around 2002 and planted in 2003, and currently supports coast live oak and green-bark ceanothus (*Ceanothus spinosus*), with scattered laurel sumac (*Malosma laurina*), Peruvian pepper tree (*Schinus molle*), Brazilian pepper tree (*Schinus terebinthifolius*) and holly-leaved cherry (*Prunus ilicifolia*). The berm north of the proposed second tank site was constructed in 2017 and planted in 2018, and currently supports coast live oak, toyon (*Heteromeles arbutifolia*), laurel sumac and lemonade berry (*Rhus integrifolia*).

The proposed second tank site is comprised of a gravel road and residual fill material used to construct the berm north of the site, and supports only scattered weedy plant species. Coast live oak woodland is located to the southeast of the tank site, where earthwork is proposed produce a level tank pad.

The proposed solar facility site is periodically cleared using string trimmers for fire prevention purposes, and supports only scattered tarplant (*Holocarpa heermannii*), vinegar weed (*Trichostemma lanceolatum*), red-stem filaree (*Erodium cicutarium*) and annual buckwheat (*Eriogonum gracile*).

Water Main Improvement Sites. Excluding the proposed infill pipe alignment east of Nova Lane, these sites consist of paved areas, which do not support vegetation. The proposed infill pipe alignment east of Nova Lane supports two linear rows of oak trees along the Ojai Valley Trail, including both coast live oak and valley oak (*Quercus lobata*). One tree row is located north of the equestrian path and the second tree row is located between the bike path and SR 33/150 (see Figure 8.a). Based on the linear arrangement (tree row) and age of these trees, most of these oak trees appear to have been planted along the Ojai Valley Trail.

Wildlife Resources. **Baldwin Site.** A wildlife survey was conducted at the Baldwin site on September 8, 2022, which included the entire property. Wildlife observed were western fence lizard, turkey vulture, California quail, American crow, western scrub jay, California towhee, spotted towhee, black phoebe, mourning dove, Eurasian collared dove, northern mockingbird, acorn woodpecker, oak titmouse, coyote, Audubon's cottontail, California ground squirrel and black-tailed deer.

Parker Site. A wildlife survey was conducted at this site on September 15, 2022, which included the entire property. Wildlife observed were western fence lizard, California quail, American crow, western scrub jay, bushtit, house finch, black phoebe, mourning dove, Eurasian collared dove, acorn woodpecker, Nuttall's woodpecker, lesser goldfinch, northern mockingbird, Anna's hummingbird, oak titmouse, pocket gopher, coyote, brush rabbit, California ground squirrel and big-eared woodrat. Cooper's hawk was observed perched on a power pole at the Parker site during noise measurements on September 21, 2022.

Water Main Improvement Sites. Wildlife observations during site visits to other sites included:

- Western scrub jay, Eurasian collared dove, bushtit and California quail observed at the pipe alignment by Rice Road in the North Tico service area.
- Eurasian collared dove observed at the Ojai Terrace pipeline replacements site.
- California towhee, acorn woodpecker and pocket gopher observed at the infill pipe alignment east of Nova Lane.

Special-Status Species. Table 4 provides a summary of special-status plant and wildlife species reported within five miles of the Baldwin site, based a review of the California Natural Diversity Data Base (CNDDDB), California Native Plant Society (CNPS) on-line inventory and on-line searches at the Consortium of California Herbaria (CCH) collections. Table 4 also includes the results of biological surveys conducted at Project component sites.

Southern California black walnut was observed at the Baldwin site percolation area and under oak trees near the south tank, and along both sides of the proposed pipe alignment near Rice Road (Tico service area, see Section 2.1.1). Migration habitat (when adequate surface flows are present) for the endangered southern California steelhead occurs in the Ventura River approximately 500 feet west of the Baldwin site. Other species listed in Table 4 have been reported from the Ventura River Preserve and other open space areas in the greater Oak View/Ojai area.

Table 4. Special-status Species Reported within Five miles of the Baldwin Site

Common Name (<i>Scientific Name</i>)	Status	Nearest Report Location to the Project Component Sites
Plants		
Mile's milk-vetch (<i>Astragalus didymocarpus</i> var. <i>milesianus</i>)	List 1B	Casitas Road (historic, 1945), about 2.4 miles south of the Santa Ana water main component (CNDDDB, 2022)
Plummer's baccharis (<i>Baccharis plummerae</i>)	List 4	Wills Canyon, 1.4 miles north of the Baldwin site (CCH, 2022)
Brewer's calandrinia (<i>Calandrinia breweri</i>)	List 4	Pratt Trail, 2.1 miles north of the Ojai Terrace component sites (CCH, 2022)
Catalina mariposa lily (<i>Calochortus catalinae</i>)	List 4	Pratt Trail, 1.6 miles north of the Ojai Terrace component sites (CCH, 2022)
Late-flowered mariposa lily (<i>Calochortus fimbriatus</i>)	List 1B	Near Cooper Canyon, 2.7 miles west of the Baldwin site (CNDDDB, 2022)

Common Name (Scientific Name)	Status	Nearest Report Location to the Project Component Sites
Plummer's mariposa lily (<i>Calochortus plummerae</i>)	List 4	Near Gridley Road, 2.6 miles northeast of the Ojai Terrace component sites (CNDDDB, 2022)
Small-flowered morning glory (<i>Convolvulus simulans</i>)	List 4	Near Santa Ana Road, 2.1 miles southwest of the Baldwin site (CCH, 2022)
Ojai fritillary (<i>Fritillaria ojaiensis</i>)	List 1B	Stewart Canyon, 3.2 miles north of the Ojai Terrace component sites (CNDDDB, 2022)
Mesa horkelia (<i>Horkelia cuneata</i> var. <i>puberula</i>)	List 1B	Ojai area (historic, 1935) (CNDDDB, 2022)
California satin-tail (<i>Imperata brevifolia</i>)	List 2B	Near SR 33, 3.6 miles north of the Baldwin site (CNDDDB, 2022)
Southern California black walnut (<i>Juglans californica</i>)	List 4	Baldwin site at percolation area, Parker site on northern fence line, along pipe alignment near Rice Road (Tico service area)
Pale-yellow layia (<i>Layia heterotricha</i>)	List 1B	Stewart Canyon, about 3.1 miles north of Ojai Terrace components (CNDDDB, 2022)
Fragrant pitcher sage (<i>Lepechinia fragrans</i>)	List 4	Near De la Garrigue Road, 2.7 miles northwest of the Baldwin site (CCH, 2022)
Ocellated Humboldt lily (<i>Lilium humboldtii</i> ssp. <i>ocellatum</i>)	List 4	Matilija Creek, 4.3 miles north of the Baldwin site (CCH, 2022)
White-veined monardella (<i>Monardella hypoleuca</i> ssp. <i>hypoleuca</i>)	List 1B	Wills Canyon, 1.6 miles north of the Baldwin site (CNDDDB, 2022)
Ojai navarretia (<i>Navarretia ojaiensis</i>)	List 1B	Near Villanova, 0.8 miles southeast of the Infill pipe along SR 33 component (CNDDDB, 2022)
Chaparral nolina (<i>Nolina cismontana</i>)	List 1B	Near Santa Ana Creek, 2.6 miles west of the Baldwin site (CNDDDB, 2022)
Fish's milkwort (<i>Polygala cornuta</i> var. <i>fishiae</i>)	List 4	Near Burham Road, 0.6 miles west of the SR 33 water main crossing near Willey Street (Padre, 2020)
Salt-spring checker-bloom (<i>Sidalcea neomexicana</i>)	List 2B	Near the Ventura River (historic, 1962), 0.9 miles southeast of the Santa Ana water main component (CNDDDB, 2022)
Insects, Fish and Wildlife		
Crotch bumble bee (<i>Bombus crotchii</i>)	SA	Laguna Ridge fire road, 2.3 miles west of the Santa Ana water main component (CNDDDB, 2022)
Southern California steelhead (<i>Oncorhynchus mykiss</i>)	FE, SC	Ventura River, 0.1 miles west of the Baldwin site (CNDDDB, 2022)
California red-legged frog (<i>Rana draytonii</i>)	FT, CSC	San Antonio Creek, 0.3 miles southeast of the Thomas PRV vault (CNDDDB, 2022)
Western pond turtle (<i>Emys marmorata</i>)	CSC	San Antonio Creek, 0.3 miles southeast of the Thomas PRV vault (CNDDDB, 2022)

Common Name (Scientific Name)	Status	Nearest Report Location to the Project Component Sites
California legless lizard (<i>Anniella</i> ssp.)	CSC	Laguna Ridge fire road, 2.3 miles west of the Santa Ana water main component (CNDDDB, 2022)
Coast horned lizard (<i>Phrynosoma blainvillii</i>)	CSC	Cooper Canyon Road, 1.5 miles northwest of the Baldwin site (CNDDDB, 2022)
Coast patch-nosed snake (<i>Salvadora hexalepis virgultea</i>)	CSC	Matilija Road, 4.1 miles to the north of the Baldwin site (CNDDDB, 2022)
Two-striped garter snake (<i>Thamnophis hammondi</i>)	CSC	Ventura River, Steelhead Preserve, 1.4 miles south of the Santa Ana water main component (CNDDDB, 2022)
White-tailed kite (<i>Elanus leucurus</i>)	FP	Ventura River Preserve (September 2020, eBird.org)
Sharp-shinned hawk (<i>Accipiter striatus</i>)	WL	Ventura River Preserve (December 2021, eBird.org)
Cooper's hawk (<i>Accipiter cooperi</i>)	WL	Observed at Parker site during noise measurements (September 21, 2022); Ventura River Preserve (May 2022, eBird.org)
Northern harrier (<i>Circus hudsonius</i>)	CSC	Ventura River Preserve (August 2022, eBird.org)
Loggerhead shrike (<i>Lanius ludovicianus</i>)	CSC	Ventura River Preserve (January 2022, eBird.org)
Nuttall's woodpecker (<i>Dryobates nuttallii</i>)	BCC	Observed at the Parker site during the field survey, Ventura River Preserve (August 2022, eBird.org)
Allen's hummingbird (<i>Selasphorus sasin</i>)	BCC	Ventura River Preserve (May 2022, eBird.org)
Oak titmouse (<i>Baeolophus inornatus</i>)	BCC	Observed at both Baldwin site and Parker site during field surveys conducted for the Project
Burrowing owl (<i>Athene cunicularia</i>)	CSC, BCC	Near Lake Casitas, 0.9 miles northwest of the Santa Ana water main component (CNDDDB, 2022)
Yellow warbler (<i>Setophaga petechia</i>)	CSC	Ventura River Preserve (May 2022, eBird.org)
Yellow-breasted chat (<i>Icteria virens</i>)	CSC	Ventura River Preserve (May 2022, eBird.org)
Lawrence's goldfinch (<i>Spinus lawrencei</i>)	BCC	Ventura River Preserve (May 2022, eBird.org)
Least Bell's vireo (<i>Vireo belli pusillius</i>)	FE, SE	Matilija Creek, 4.3 miles to the north of the Baldwin site (CNDDDB, 2022)
Southern California rufous-crowned sparrow (<i>Aimophila ruficeps canescens</i>)	WL	Ventura River Preserve (January 2022, eBird.org)
Western mastiff bat (<i>Eumops perotis californicus</i>)	CSC	Ventura area (historic, 1907) (CNDDDB, 2022)

Common Name (<i>Scientific Name</i>)	Status	Nearest Report Location to the Project Component Sites
Hoary bat (<i>Lasiurus cinereus</i>)	WBWG-M	Ojai area (historic, 1905) (CNDDB, 2022)

BCC	2021 Birds of Conservation Concern (USFWS)
CSC	California Species of Special Concern (CDFW)
FE	Federal Endangered (USFWS)
FT	Federal Threatened (USFWS)
FP	Protected under the California Fish & Game Code (CDFW)
List 1B	Plants rare, threatened, or endangered in California and elsewhere (CNPS)
List 2	Plants rare, threatened, or endangered in California, but more common elsewhere (CNPS)
List 4	Plants of limited distribution (CNPS)
SE	State Endangered (CDFW)
WBWG-M	Western Bat Working Group-Medium Priority
WL	Watch List (CDFW)

3.4.2 Environmental Thresholds

The District has not adopted significance thresholds for impacts to biological resources. However, impacts that would substantially adversely affect resources identified in the checklist questions are typically found to be significant.

3.4.3 Impact Analysis

- a. Plants.** Based on literature review and botanical surveys of the Project component sites, the only special-status plant species that would be affected by the proposed Project is southern California black walnut. One seedling would be removed by proposed flood water drainage improvements (culvert pipe replacement) at the Baldwin site. This species is not rare, threatened, endangered or declining; therefore, the loss of this plant would not affect the local population and is considered a less than significant impact.

Vegetation. Baldwin Site. Proposed facilities would be located in previously disturbed areas, and not result in the removal of native vegetation. Oak woodland near the tanks and flood protection site would be preserved. Minor grading for the proposed solar panel arrays would disturb about 0.3 acres of weedy fuel modification areas. The solar panels would be mounted on ballast blocks with most of the area remaining unsurfaced; therefore, these areas would continue to support weedy maintained vegetation following solar panel installation. Parker Site. The proposed second tank would permanently displace approximately 0.1 acres of coast live oak woodland.

Steelhead. Proposed flood protection and drainage improvements would not substantially affect the volume, rate or quality of stormwater run-off from the Baldwin site or otherwise adversely affect steelhead habitat in the Ventura River.

Special-Status Bird Species. Baldwin Site. Numerous special-status bird species utilize the Ventura River Preserve (located immediately west of the Baldwin site) as foraging and/or breeding habitat, including white-tailed kite, sharp-shinned hawk, Cooper's hawk, northern harrier, loggerhead shrike, Nuttall's woodpecker, Allen's hummingbird, yellow warbler, yellow-breasted chat, Lawrence's goldfinch and southern California rufous-crowned sparrow. All proposed improvements at the Baldwin site would occur within the existing facility and not result in the loss of any native vegetation or habitat for these species.

Oak titmouse was observed foraging in oak trees immediately east of the Baldwin site, and Nuttall's woodpecker is likely to occur. Oak titmouse and Nuttall's woodpecker are considered bird species of conservation concern on a regional basis (most of coastal California) by the U.S. Fish and Wildlife Service but are not assigned any special status by the California Department of Fish and Wildlife. These species are common in the Ventura River watershed. Project components at the Baldwin site (including solar panels) have been located to avoid loss of oak trees and oak woodland habitat for these species.

Parker Site. Oak titmouse and Nuttall's woodpecker were observed foraging in oak trees and Cooper's hawk was observed perched on a power pole at the Parker site. The Project-related loss of 0.1 acres of coast live oak woodland may impact these species. Oak titmouse, Nuttall's woodpecker and Cooper's hawk are common in the region, and many square miles of suitable habitat is available. The loss of 0.1 acres of occupied habitat would not substantially affect the local populations of these species. Therefore, impacts to oak titmouse, Nuttall's woodpecker and Cooper's hawk are considered less than significant.

Special-Status Bat Species. Reports of western mastiff bat and hoary bat in the Project area are historic and the current status of these species in the area is unknown. In any case, the proposed Project would not result in the loss of roosting or foraging habitat for these species.

- b. Riparian habitat is located in the Ventura River approximately 1,000 feet west of the Baldwin site, and along Valley Meadow Drive about 1,000 feet southwest of the second Parker tank site. The proposed Project would have no direct effect (habitat loss) or indirect effect (modified hydrology or stormwater run-off) on this riparian habitat.
- c. Review of the U.S. Fish & Wildlife Service National Wetlands Inventory indicates wetlands (riparian-lotic shrub-scrub and riparian-lotic emergent) occur in the Ventura River immediately west of the Baldwin site. State-defined wetlands likely occur along Valley Meadow Drive about 1,000 feet southwest of the second Parker tank site. The proposed Project would have no direct effect (habitat loss) or indirect effect (modified water quality, hydrology or stormwater run-off) on these wetlands.

- d. The Baldwin site is located immediately adjacent to the Ventura River floodplain, which provides a habitat corridor linking the Ojai Valley, eastern Santa Ynez Mountains and the Los Padres National Forest to coastal areas. The Ventura River is considered a regionally important wildlife corridor, which provides seasonal drinking water and a patchy to continuous corridor of native vegetation that provides cover, and foraging habitat for wildlife moving through the area. Migratory fish (steelhead) utilize the Ventura River as a migratory pathway, and for foraging and spawning. Currently, a chain link fence surrounding the Baldwin site limits wildlife movement through the site. All proposed improvements at the Baldwin site would be located within the boundary fence and would not affect local wildlife movement near the Baldwin site or regional movement along the Ventura River.
- e. As a water project, the proposed Project is exempt from local building and zoning ordinances under Section 53091 of the California Government Code. Therefore, the Project is exempt from the Ventura County Tree Protection Ordinance, which protects oak trees greater than 9.5 inches in girth. The proposed Project has been designed to minimize loss of oak trees by:
- Locating solar panels away from oak trees to avoid tree removals at the Baldwin site and Parker site.
 - Locating the second Parker tank to minimize oak tree removals.
 - Locating the infill pipe east of Nova Lane in the Ojai Valley Trail equestrian path to avoid/minimize oak tree removals.
 - Utilizing foundation designs to reduce the potential to remove oak trees during installation of the standby generator sound wall.
 - Locating water main improvements within streets and other paved areas.
- However, approximately nine ~~40~~ oak trees (one oak tree died during the public comment period) would require removal, including seven ~~eight~~ for the second Parker tank and up to two trees for the infill pipe east of Nova Lane. Based on the abundance of oak trees in the Project area and small number to be removed, conflicts with the Ventura County Tree Protection Ordinance are considered less than significant.
- f. The Project component sites are not subject to a habitat conservation plan or other conservation plan. Therefore, no adverse impacts related to compliance with habitat conservation plans are anticipated.

3.4.4 Mitigation Measures and Residual Impacts

None required.

3.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.5.1 Setting

Ethnographic Context. The Project site is located within the ethnographic territory of the Chumash, who inhabited the Coast Ranges between San Simeon and Malibu (Kroeber, 1925). The Chumash have been divided into several geographic groups, each associated with a distinct language dialect (Hoover, 1986). The Chumash living in Ventura County formed the *Ventureño* dialect group of the Chumash language family. This group was named for their association with the Spanish *Mission San Buenaventura*, founded in 1782.

The Chumash political organization comprised a named village and the surrounding resource areas were governed by a chief, known as the *Wot* (Sampson, 2013). Some higher status chiefs controlled large chiefdoms containing several villages. It is likely the Project site was included in the chiefdom *Lulapin*, whose limits extended from Malibu to just beyond modern Santa Barbara. In his diary, Portuguese explorer Juan Cabrillo described a Chumash village that was located on an ocean bluff between present-day Figueroa and Palm streets in Ventura. The missionaries who later settled in the area call the village *Shisholop* (Galvin, 2011). According to ethnographic studies, inhabitants from different villages bonded through trade, joint ceremonies, and intermarriage (Sampson, 2013).

Spanish colonization and the establishment of Mission San Buenaventura resulted in the erosion of Chumash culture in Ventura County. Chartkoff and Chartkoff (1984) note that Spanish settlement barred many Native Americans from traditionally important resources including clamshell beads, abalone shells, Catalina steatite, shellfish, and asphaltum. The introduction of European customs and diseases transformed the hunter-gatherers into agricultural laborers and decimated the native population.

Archaeological Context. Ventura County is part of a larger regional cultural area that includes most of Santa Barbara and San Luis Obispo counties. Wallace (1955), Warren (1968), and King (1990) have developed chronological sequences that apply to the prehistory of Ventura County. The following text is based on the chronological sequence developed by King (1990) to discuss the Early, Middle, and Late Periods of cultural development in Ventura County.

Early Period (about 8,000 – 3,350 years ago). Reliable evidence of Holocene (post-10,000 years ago) settlement in Ventura County begins about 8,000 years ago. The earliest sites were located on terraces and mesas; however, settlement gradually shifted to the coast (Wlodarski, 1988). Site assemblages dating to this period often contained large amounts of milling stones and manos, crude choppers, and core tools (W&S, 1997). Prehistoric peoples used these tools to harvest terrestrial and sea mammals, shellfish, and fish. Mortars and pestles appear toward the end of the period, suggesting a shift towards a greater reliance on acorns.

Middle Period (about 3,350 – 800 years ago). Archaeological material dating to the Middle Period represents a significant evolution in hunter-gatherer technology. The presence of chipped stone tools increases and diversifies, projectile points became more common, and fishhooks and plank canoes (tomol) appear (Wlodarski, 1988; W&S, 1997). Burials dating to this period provide evidence of wealth and social stratification indicating a transition to ranked society. Excavation data from the Santa Monica Mountains demonstrate expansion to the inland region allowing trade and ceremonial exchange patterns to develop.

Late Period (about 800 – 150 years ago). The cultural complexity initiated during the Middle Period intensified in the Late Period. This period is also referred to as the Chumash Era as Chumash social and religious development peaked during this time. Villages became the main population centers with satellite camps geared toward the seasonal harvest of plants, seeds, game, and material resources (Wlodarski, 1988). The Chumash became expert craftsman of baskets, stone vessels, shell beads, *tomol*, and fishing technology. It is also likely that communication and trade with non-Chumash tribes and villages accelerated during this period.

Historic Period Context. Contact Period (A.D. 1542 – 1781). In 1542, Juan Cabrillo was the first of the exploring Europeans to sail into Chumash territory, and he investigated the area now occupied by the City of Ventura in 1542. Spanish navigator Sebastian Vizcaino further investigated the area during a mapping expedition for the Spanish government in 1602 (Galvin, 2011).

The first Spanish land expedition of Gaspar de Portolá passed through Ventura County and camped near present day Saticoy on August 13, 1769. Portola renamed the native village at this site La Asuncion de Nuestra Señora or La Asumpta because the expedition reached the location of the eve of The Assumption of the Blessed Virgin (Galvin, 2011). The expedition continued down the Santa Clara River Valley and camped at the outlet of the Ventura River on August 14, 1769. Fray Juan Crespi, a Franciscan missionary, noted a large and sophisticated Chumash village (likely Shisholop) near this campsite (Bolton, 1926).

In February of 1774, Juan Bautista de Anza traveled through Ventura County as leader of the San Francisco colonists. The de Anza expedition camped near La Asumpta and traveled north along the Pacific Coast (Galvin, 2011).

Mission Period (A.D. 1782 – 1833). Over the next three decades, the Spanish established twenty-one Franciscan missions and various military presidios and pueblos along El Camino Real between San Diego and Sonoma. The earliest plans for a mission at San Buenaventura date to 1768 when the area was selected for an “intermediate” mission between the existing Mission San Diego and Mission San Carlos. Native American uprisings and political infighting delayed the founding of Mission San Buenaventura until Easter Sunday, March 31, 1782. San Buenaventura became the ninth mission established in Alta California and the last mission founded by Father Junipero Serra.

Around 1790, the San Miguel Chapel was built as the first outpost and center of operations while the Mission was being constructed. The first Mission structure was located near the chapel but was relocated to its present site on Main Street in 1804 (Gavin, 2011). Most of the missions were similar in design and consisted of a church and living quarters for the priests, soldiers, and baptized Indians. The buildings were rectangular and were constructed of wooden beams and adobe bricks. Chumash neophytes, instructed in the teachings of the Catholic Church and baptized, provided almost all the labor to construct and maintain the missions (Barter et al., 1994).

Rancho Period (A.D. 1822 – 1850). In 1822, Mexico declared independence from Spain and the missions were secularized in 1834. Lands were gradually transferred to private ownership via a system of land grants. There were 19 grants of ranchos in the Ventura County area, the majority containing thousands of acres. Native Californians of Spanish or Mexican descent, known as Californios, accumulated great wealth, largely through cattle ranching. They built large adobe residences both close to the Mission and on vast grazing acreage outside the Mission area. Most of the Project component sites are located within the former Rancho Ojai, which was granted to Fernando Tico in 1837. The Baldwin site and Santa Ana water main improvements site is located within the former Rancho Santa Ana, which was granted to Cristógono Ayala and his father-in-law Cosme Vanegas in 1847.

Following the Bear Flag Revolt in 1846, John C. Frémont and the California Battalion marched into Mission San Buenaventura, finding all the inhabitants had fled except the Chumash neophytes. The Treaty of Hidalgo formally transferred California to the United States in 1848 and statehood was achieved in 1850. At the time, the area that would become Ventura County was originally the southern portion of Santa Barbara County (Murphy, 1979).

American Period (A.D. 1848 to Present). Ventura County was officially split from Santa Barbara County on January 1, 1873, and a dozen communities were established within the next 25 years. The Southern Pacific Railroad came through San Buenaventura in 1887 and shortened the name of the city to “Ventura” for convenience in printing their timetables (Murphy, 1979). The railroad connected Saugus, Fillmore, and Santa Paula allowing agricultural products, especially citrus, to ship from Ventura and Port Hueneme.

Oil exploration in Ventura County started during the 1880s, yet remained unsuccessful until 1916, when the large South Mountain Oil Field was discovered near Santa Paula. Drilling in the Ventura Avenue Oil Field and the Rincon Oil Field soon followed in 1919 and 1927, respectively. The 1920s-oil boom increased development in the cities of Ventura, Santa Paula, and Fillmore. The 1929 stock market crash and subsequent Great Depression slowed this growth; however, most of the County's infrastructure, such as roads, post office, fire stations, and schools, were built by New Deal relief programs. At the beginning of World War II, the United States Navy completed deep-water port facilities at Port Hueneme.

During the 1960s and 1970s, many working-class people migrated from east and central Los Angeles to southern and eastern Ventura County. As a result, there was significant population growth in Ventura County along the Highway 101 corridor. Further expansion of Highway 101 has facilitated commuting to Los Angeles and prompted further development to the west (Murphy, 1979).

Cultural Records Search. Padre Associates ordered an archaeological records search from the South Central Coast Information Center of the California Historical Resources Information System at the California State University, Fullerton on August 26, 2022. The records search included a review of all recorded historic-era and prehistoric archaeological sites within the Project component sites and a 0.25-mile radius, as well as a review of known cultural resource surveys and technical reports. Padre received the results on November 3, 2022. The records search identified only one resource, the Ventura River and Ojai Valley Railroad (CA-VEN-1109H), which crosses three Project component sites. The rails have been removed from the railroad grade which was subsequently repurposed as the current Ventura River Trail (Macko, 1993).

Archeological Field Survey. On September 30, 2022, Padre Staff Archaeologist, Christopher J. Letter, surveyed the Parker and the Baldwin sites for cultural resources. Each site was examined with parallel transects spaced at 10-meter intervals to ensure complete coverage. Padre did not observe any cultural resources during the survey.

Tribal Consultation. No tribes have requested the lead agency (District) to be informed of proposed projects. Therefore, formal notification of traditionally and culturally affiliated tribes required under Public Resources Code Section 21080.3.1(b) was not conducted.

3.5.2 Environmental Thresholds

Section 15064.5 of the State CEQA Guidelines states that a substantial adverse change in the significance of a historical resource may have a significant effect on the environment. Adverse changes may include demolition, destruction, relocation or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. For the purposes of this document, a substantial adverse change to a historically significant resource is considered a significant impact. Material impairment occurs when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources;

- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in a historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

A cultural resource shall be considered to be "historically significant" if the resource meets the criteria for listing on the California Register of Historic Resources (Public Resources Code Section 5024.1) including the following:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

3.5.3 Impact Analysis

- a. The results of a cultural resources records search did not identify any historic resources within the Project component sites or a 0.25-mile search radius. The proposed Project does not involve the removal of any structures or other features that may be considered historic; therefore, impacts to historic resources are not anticipated.
- b. The record search did not identify any archaeological resources within the Project's area of potential effect. The record search did not identify any tribal cultural resources near the Project component sites. Ground disturbance associated with the construction of the new Parker tank may extend up to 12 feet below the current ground surface. Therefore, disturbance of intact cultural deposits (burials, middens, Native American occupied sites) may occur. In addition, unknown buried cultural resources (such as isolated artifacts) may be encountered during excavation at the Parker site.
- c. Ground disturbance associated with the construction of the new Parker tank may extend up to 12 feet below the current ground surface. Although highly unlikely, disturbance of human remains could occur.

3.5.4 Mitigation Measures and Residual Impacts

MM CR-1. The following mitigation measures are consistent with the guidelines of the State Office of Historic Preservation and shall be incorporated into the Project to prevent significant impacts, should resources be found during excavation.

- A worker cultural resources sensitivity program shall be implemented prior to tank construction at the Parker site. Prior to any ground-disturbing activity, a qualified archeologist shall provide an initial sensitivity training session to all affected contractors, subcontractors, and other workers, with subsequent training sessions to accommodate new personnel becoming involved in tank construction. The sensitivity program shall address the cultural sensitivity of the Parker site and how to identify these types of resources, specific procedures to be followed in the event of an inadvertent discovery, and consequences in the event of non-compliance.
- Should any buried archaeological materials be uncovered during Project activities, such activities shall cease within 100 feet of the find. Prehistoric archaeological indicators include obsidian and chert flakes, chipped stone tools, bedrock outcrops and boulders with mortar cups, ground stone implements, locally darkened midden soils containing previously listed items plus fragments of bone and fire affected stones. Historic period site indicators may include fragments of glass, ceramic and metal objects, milled and split timber, building foundations, privy pits, wells and dumps, and old trails. All earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until the District has been notified and an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume.
- If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and deposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission.

Implementation of the above measures would reduce impacts to archaeological resources to a level of less than significant.

3.6 ENERGY

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.6.1 Setting

Energy is provided to the Project area in the form of electricity from Southern California Edison and natural gas from the Southern California Gas Company.

3.6.2 Environmental Thresholds

The District has not adopted significance thresholds for energy-related impacts.

3.6.3 Impact Analysis

- a. Project-related construction activities would consume non-renewable energy in the form of fuels and lubricants for vehicles and equipment. This energy use would not be wasteful, inefficient or unnecessary.

The proposed Project would provide two renewable photo-voltaic solar energy facilities, which would reduce grid power consumption related to pumping water.

- b. The proposed Project would not conflict with any State or local plan for renewable energy or energy efficiency.

3.6.4 Mitigation Measures and Residual Impacts

None required.

3.7 GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.7.1 Setting

The Project region is encompassed within the Transverse Ranges geomorphic province of southern California. The Transverse Ranges province is oriented generally east-west, which is oblique to the general north-northwest structural trend of California mountain ranges. The Transverse Ranges province extends from the Los Angeles Basin westward to Point Arguello and is composed of Cenozoic-to Mesozoic-age sedimentary, igneous, and metamorphic rocks.

Many of the Project component sites are located in the Ojai Valley, which is an east-west trending alluviated valley bounded to the north by the Eastern Santa Ynez Mountains and to the south by Black Mountain and Sulfur Mountain. Structurally, the Ojai Valley is an actively deforming, fault-bounded trough created by uplift of the Santa Ynez Anticline along the Lion Canyon and Mission Ridge reverse faults to the south (Yeh & Associates, 2022). Near the Project component sites, the Santa Ynez Mountains and adjacent lowlands are comprised of sedimentary rocks and soil materials ranging in age from Cretaceous to Holocene.

Local Geology. The Baldwin site is underlain by Pleistocene-aged alluvium consisting of consolidated silt, sand, clay and gravel (Tan and Jones, 2006). The Parker site is underlain by Quaternary era older dissected surficial sediments composed of a cobble-boulder fan dominated by sandstone detritus (Dibblee, 1987).

Soils. The Baldwin site supports two soil mapping units, including Cortina stony sandy loam (2-9 percent slopes) along the Ventura River (including the tank site) and Terrace Escarpments immediately to the east. The Parker site supports two soil mapping units, including Ojai stony fine sandy loam (15-30 percent slopes, eroded) and Ojai very fine sandy loam (2-9 percent slopes, eroded). The second Parker tank would be located where these soil mapping units meet.

Geologic Hazards. Table 5 provides a summary of geologic hazards identified by the California Department of Conservation (Eq Zapp GIS application) at the Project component sites.

Table 5. Geologic Hazards Summary

Project Component Site	Geologic Hazards
Baldwin site	Liquefaction hazard area
Parker site	State-designated earthquake fault zone
Tico service area pipe alignment near Rice Road	State-designated earthquake fault zone
Tico service area pipe crossing under SR 33 near Barbara Street	State-designated earthquake fault zone
Tico service area pipe crossing under SR 33 near Willey Street	State-designated earthquake fault zone
Santa Ana water main	Liquefaction hazard area

Earthquake Faults. The entire Southern California region, including the Ventura County area, is located within a seismically active area. The Mission Ridge Fault system traverses the Project region from east to west, and includes the Villanova Fault, Santa Ana Fault, La Vista Fault and Devil's Gulch Fault in the Project area, which are considered active during Holocene time (0-11,000 years before present). However, fault segments in the vicinity of Project component sites are not considered active (Yeh and Associates, 2022).

Seismic Ground Shaking. Ground shaking is the cause of most damage during earthquakes. The Project area north of SR 150 and west of the City of Ojai has a 10 percent chance of exceeding a peak ground acceleration of 0.59 g (alluvium conditions) in 50 years. The Project area south of SR 150 and west of the City of Ojai has a 10 percent chance of exceeding a peak ground acceleration of 0.62 g (alluvium conditions) in 50 years (California Department of Conservation, 2002).

Liquefaction. Liquefaction occurs when strong, cyclic motions during an earthquake cause water-saturated soils to lose their cohesion and take on a liquid state. Liquefied soils are unstable and can subject overlying structures to substantial damage. The occurrence of liquefaction is highly dependent on local soil properties, depth to groundwater, and the strength and duration of a given ground-shaking event. Project component sites near the Ventura River (Baldwin site, Santa Ana water main) are located within a liquefaction hazard zone as designated by the California Department of Conservation (2002). However, soil borings conducted at the Baldwin site indicate the proposed replacement tank site is underlain by artificial fill and alluvial wash deposits and not considered vulnerable to liquefaction. In addition, soil borings conducted at the Parker site indicate the new tank site is underlain by artificial fill and alluvial deposits and not considered vulnerable to liquefaction (Yeh and Associates, 2022).

Seiche and Tsunami Hazards. Tsunamis are seismically induced sea waves that can be of sufficient size to cause substantial damage to coastal areas. The last major tsunami in Southern California was in 1812, generated by an earthquake in the Santa Barbara Channel. The largest tsunami wave amplitude recorded by modern instrumentation in Ventura County was 8.8 feet, associated with the Chilean earthquake of 1960. In 2010, an earthquake in Chile generated a tsunami which caused minor damage to structures and vessels in the Ventura Harbor. A tsunami generated by a volcanic eruption in Tonga in January 2022 caused minor damage to a few boats in the Ventura Harbor. The nearest tsunami inundation hazard area is located approximately 8.2 miles south of the closest Project component (Santa Ana water main) at the Ventura River estuary (California Emergency Management Agency, 2009).

Seiches are oscillating waves that occur in enclosed or semi-enclosed bodies of water such as lakes and bays. Seiches are commonly caused by earthquakes. There is no record of a seiche occurring in Ventura County. The nearest body of water that may be subject to seiches is Lake Casitas, located approximately 0.6 miles west of the closest Project component (Santa Ana water main).

Landslides/Mudflow Hazard. Areas of high landslide or mudflow potential are typically hillside areas with slopes of greater than 10 percent. None of the Project component sites are located within a seismically-induced landslide hazard area (California Department of Conservation 2002).

Expansive Soils Hazards. Expansive soils are primarily clay-rich soils subject to changes in volume with changes in moisture content. Soils at the Baldwin tank site (Cortina stony sandy loam) are considered to have low shrink-swell potential (Edwards et al. 1970). Soils at the second Parker tank site are considered to have a moderate shrink-swell potential (Edwards et al. 1970). Expansive soil was not identified at any of the Project component sites studied by Yeh and Associates (2022).

3.7.2 Environmental Thresholds

The District has not adopted significance thresholds for geology and soils impacts. However, impacts that would result in substantial geologic hazards identified in the checklist questions are typically found to be significant.

3.7.3 Impact Analysis

- a. The second Parker tank would be located within an earthquake hazard zone. The foundation for this tank would be constructed according to the current California Building Standards Code and the recommendations of the Project-specific geotechnical study prepared by Yeh and Associates (2022), which include excavating a keyway at the toe of proposed fill (or 5 feet below existing grade, whichever is deeper), over-excavation and removal of artificial fill, scarification of the bottom of the excavation to a depth of 9 inches, moisture conditioning and compaction in place to at least 95 percent relative compaction, placement of structural backfill keyed and benched into the existing slope and compaction. Implementation of these recommendations would ensure the proposed tank would safely withstand predicted ground shaking identified in the Project-specific geotechnical study.

The relocated northern tank at the Baldwin site (as are the existing tanks) would be located within a liquefaction hazard area. The foundation for this tank would be constructed according to the current California Building Standards Code and the recommendations of the Project-specific geotechnical study prepared by Yeh and Associates (2022), which include removal of existing soil to at least 3 feet below the proposed bottom of the foundation, scarification of the bottom of the excavation, moisture conditioning and compaction in place to at least 95 percent relative compaction, placement of structural backfill and compaction. Implementation of these recommendations would ensure the proposed tank would safely withstand predicted ground shaking identified in the Project-specific geotechnical study.

The Santa Ana water main would be located within a liquefaction hazard area but would be installed with adequate pipe bedding and connections to minimize the potential for liquefaction-related pipe failure. Overall, the proposed Project would not expose the public or other structures to substantial adverse effects related to liquefaction.

The only Project component located on a slope that may experience landslides is the second Parker tank. This tank would be cut into the hillside and constructed according to the current California Building Standards Code and the recommendations of the Project-specific geotechnical study as discussed above including over-excavation and compaction at the tank site and slope benching as needed to prevent slope failure. Therefore, this tank would safely withstand and not cause any seismically induced landslides. Overall, the proposed Project would not expose the public or other structures to substantial adverse effects related to landslides.

- b.** The slopes created by installation of the second Parker tank could result in soil erosion. However, these slopes would be benched and compacted as needed to minimize erosion associated with stormwater runoff. In addition, the tank site would be provided with drainage facilities to collect and transport stormwater off-site. Substantial soil erosion is not anticipated.
- c.** None of the Project component sites are located in a subsidence zone. As such, the Project is not expected to generate impacts associated with land subsidence. See response a. for discussion of issues related to liquefaction and landslides.
- d.** The soils of the proposed tank sites are not considered to have a high shrink-swell potential (expansive). Project components would be designed and installed to withstand anticipated effects of expansive soils. Overall, the proposed Project would not expose the public or other structures to substantial adverse effects related to landslides.
- e.** Septic waste disposal systems are not proposed as part of the Project; therefore, no impacts would result.

- f. Project component sites where extensive excavation is proposed (tank sites, Baldwin flood protection) are underlain by alluvial floodplain deposits. Due to the lack of intact geologic formations, paleontological resources are not anticipated to be present. Therefore, impacts to paleontological resources are not anticipated. No unique geologic features have been identified in the Project area, and none would be adversely affected by Project implementation.

3.7.4 Mitigation Measures and Residual Impacts

None required.

3.8 GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.8.1 Setting

Climate change, often referred to as “global warming” is a global environmental issue that refers to any significant change in measures of climate, including temperature, precipitation, or wind. Climate change refers to variations from baseline conditions that extend for a period (decades or longer) of time and is a result of both natural factors, such as volcanic eruptions, and anthropogenic, or man-made, factors including changes in land-use and burning of fossil fuels. Anthropogenic activities such as deforestation and fossil fuel combustion emit heat-trapping GHGs, defined as any gas that absorbs infrared radiation within the atmosphere.

In 2021, the average contiguous U.S. temperature was 54.5°F, 2.5°F above the 20th-century average and ranked as the fourth-warmest year in the 127-year period of record. The six warmest years on record have all occurred since 2012. The December 2021 contiguous U.S. temperature was 39.3°F, 6.7°F above average and exceeded the previous record set in December 2015.

GHG emissions are a global issue, as climate change is not a localized phenomenon. Eight recognized GHGs are described below. The first six are commonly analyzed for projects, while the last two are often excluded for reasons described below.

- Carbon Dioxide (CO₂): natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic degassing; anthropogenic sources of CO₂ include burning fuels such as coal, oil, natural gas, and wood.

- Methane (CH₄): natural sources include wetlands, permafrost, oceans and wildfires; anthropogenic sources include fossil fuel production, rice cultivation, biomass burning, animal husbandry (fermentation during manure management), and landfills.
- Nitrous Oxide (N₂O): natural sources include microbial processes in soil and water, including those reactions which occur in nitrogen-rich fertilizers; anthropogenic sources include industrial processes, fuel combustion, aerosol spray propellant, and use of racing fuels.
- Chlorofluorocarbons (CFCs): no natural sources, synthesized for use as refrigerants, aerosol propellants, and cleaning solvents.
- Hydrofluorocarbons (HFCs): no natural sources, synthesized for use in refrigeration, air conditioning, foam blowing, aerosols, and fire extinguishing.
- Sulfur Hexafluoride (SF₆): no natural sources, synthesized for use as an electrical insulator in high voltage equipment that transmits and distributes electricity. SF₆ has a long lifespan and high global warming potential.
- Ozone: unlike the other GHGs, ozone in the troposphere is relatively short-lived and, therefore, is not global in nature. Due to the nature of ozone, and because this Project is not anticipated to contribute a significant level of ozone, it is excluded from consideration in this analysis.
- Water Vapor: the most abundant and variable GHG in the atmosphere. It is not considered a pollutant and maintains a climate necessary for life. Because this Project is not anticipated to contribute significant levels of water vapor to the environment, it is excluded from consideration in this analysis.

The primary GHGs that would be emitted during construction and operation of the proposed Project are CO₂, CH₄ and N₂O. The Project is not expected to have any associated use or release of HFCs, CFCs or SF₆.

CO₂ is also used as a reference gas for climate change. To account for different GHG global warming potentials, emissions are often quantified and reported as CO₂ equivalents (CO₂E). Currently, the CO₂ global warming potential is set at a reference value of 1, CH₄ has a global warming potential of 27.9 (i.e., 1 ton of methane has the same global warming potential as 27.9 tons of CO₂), while nitrous oxide has a global warming potential of 273.

Climate change is having and will continue to have widespread impacts on California's environment, water supply, energy consumption, public health and economy. Many impacts already occur, including increased fires, floods, severe storms, and heat waves. Documented effects of climate change in California include increased average, maximum, and minimum temperatures; decreased spring runoff to the Sacramento River; shrinking glaciers in the Sierra Nevada; sea-level rise at the Golden Gate Bridge and San Francisco Bay; warmer temperatures in Lake Tahoe, Mono Lake, and other major lakes; and plant and animal species found at changed elevations (California Governor's Office of Planning and Research 2018).

The primary legislation affecting GHG emissions in California is the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32). AB 32 (Nuñez; Chapter 488, Statutes of 2006) focuses on reducing GHG emissions in California and required the State to reduce GHG emissions to 1990 levels by 2020. CARB prepared a Draft Scoping Plan for Climate Change in 2008 pursuant to AB 32. The Climate Change Scoping Plan was updated in May 2014 and November 2017, and a Draft 2022 Climate Change Scoping Plan Update was completed in May 2022.

In 2016, the State met the AB 32 target, 4 years early. The State Legislature passed Senate Bill (SB) 32 (Pavley; Chapter 249, Statutes of 2016), which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation AB 197, which provides additional direction for developing the Scoping Plan. The 2017 update to the Scoping Plan focuses on strategies to achieve the 2030 target set by Executive Order B-30-15 and codified by SB 32.

As part of the Ventura County 2040 General Plan, a GHG emissions reduction strategy (which serves as the County's Climate Action Plan) was prepared and integrated with the General Plan as Appendix B. A baseline GHG inventory was prepared using a baseline year of 2015 and focusing on community-wide emissions. As indicated within General Plan Appendix B (Figure B-1), transportation (36%), solid waste (17%), building energy (17%), stationary source (16%), and agriculture (13%) made up the majority of GHGs in unincorporated Ventura County. The County's GHG emissions forecast predicts a 7.8 percent decrease from the 2015 baseline by the year 2050 for unincorporated Ventura County, based on implementation of existing State and federal regulations. Ventura County GHG reduction goals and targets are similar to the state targets, but are focused on reductions in the County's 2015 GHG inventory:

- Two percent below 2015 levels by 2020
- 41 percent below 2015 levels by 2030
- 61 percent below 2015 levels by 2040
- 80 percent below 2015 levels by 2050

3.8.2 Environmental Thresholds

The District has not adopted any GHG emissions significance thresholds. To date, GHG thresholds of significance have not been adopted by Ventura County. On November 8, 2011, the VCAPCD completed a staff report assessing several options and strategies in developing GHG thresholds for land development projects. Although no GHG thresholds were developed, the November 8, 2011 staff report stated that consistency with any GHG thresholds developed by the South Coast Air Quality Management District (SCAQMD) is preferred. On December 5, 2008, the SCAQMD governing board adopted an interim GHG significance threshold of 10,000 metric tons per year CO₂ equivalent (including amortized construction emissions) for industrial projects. Due to the lack of any other applicable threshold, this value is used in this analysis to determine the significance of the contribution of the Project to global climate change.

3.8.3 Impact Analysis

- a. Construction of the proposed Project components would generate GHG emissions, primarily in the form of CO₂ exhaust emissions from the use of off-road construction equipment and on-road vehicles. Table 6 provides a summary of peak 12-month period GHG emissions and a comparison to the annual significance threshold. Project components assumed to be constructed in a peak 12-month period include the second Parker tank and water main projects listed in Section 2.1. Project GHG emissions would be substantially less than the adopted significance threshold (see Table 6). Therefore, construction-related GHG emissions are considered a less than significant impact on global climate change.

The proposed solar energy facilities would reduce the amount of grid power used by the District by about 220,273 KW-hours per year, which would reduce annual GHG emissions by 51.5 metric tons CO₂E.

Table 6. Peak 12-month Period GHG Emissions Summary (metric tons)

Source	CO ₂	CH ₄	N ₂ O	CO ₂ E
Parker tank construction	252.7	0.011	0.009	255.5
Other water main projects	146.0	0.007	0.005	147.5
Total Construction	398.7	0.018	0.014	403.0
<i>Annual Significance Threshold</i>				10,000

- b. The proposed Project would not involve any sources of greenhouse gases that are regulated under the State cap and trade program, or other plans or policies regulating these emissions.

3.8.4 Mitigation Measures and Residual Impacts

None required.

3.9 HAZARDS AND HAZARDOUS MATERIALS/RISK OF UPSET

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.9.1 Setting

The Project component sites have not supported any past land uses that may involve in the use, transportation, disposal or spillage of hazardous materials. Based on a review of the State Water Resources Control Board's Geotracker data base, the following sites are located near Project components:

- Gabriel's Property: leaking underground storage tank (gasoline) at 65 Baldwin Road, cased closed in 2015; 0.4 miles east of the Baldwin site.
- Lake Casitas Mobile Home Park: leaking underground storage tank (gasoline) at 25 Burham Road, cased closed in 1996; 0.1 miles northeast of the Santa Ana water main alignment.
- Caltrans yard: leaking underground storage tank (gasoline) at 1116 Maricopa Highway, cased closed in 2010; 0.1 miles northeast of the Ojai Terrace pipe replacement alignments.
- Circle K: leaking underground storage tank (gasoline) at 11408 Ventura Avenue, cased closed in 2009; 0.2 miles northwest of the Parker site.

These contaminated sites have been remediated to the State Water Resources Control Board's standards and the respective cases closed.

The historic Ojai burn dump is located approximately 0.1 miles south of the Baldwin site and was used from the 1940's through 1964 to dispose of household, agricultural and light industrial solid waste. Waste was burned in trenches and buried with soil. This site was formally closed in the 1980's and is inspected quarterly by the Ventura County Environmental Health Division to verify waste is not exposed. This site is not a hazard to the public unless buried waste is exposed by bank erosion associated with extreme storm flows in the Ventura River.

3.9.2 Environmental Thresholds

The District has not adopted significance thresholds for hazards and hazardous materials-related impacts. However, impacts that would result in substantial public hazards identified in the checklist questions are typically found to be significant.

3.9.3 Impact Analysis

- a. The proposed Project would not use, transport or dispose of hazardous materials; however, diesel fuel may be brought to Project construction sites using a maintenance truck to fuel construction equipment. No storage of diesel fuel would occur on-site. Therefore, significant hazards to the public or environment related to hazardous materials would not occur.

The proposed Project includes upgrading the existing groundwater chlorination facility (including a new sodium hypochlorite tank) at the Baldwin site and relocating it above the 100-year flood elevation. This would reduce the potential for accidental discharge of sodium hypochlorite to the environment.

- b. There are no sites with contaminated soil or groundwater that may be disturbed by Project construction and result in an environmental hazard.
- c. The nearest schools are Nordhoff High School (within 150 feet of the emergency turn-out along La Paz Drive and water main improvements within Vallerio Avenue), Sunset Elementary (0.7 miles southeast of the Santa Ana water main alignment), Montessori of Ojai (0.6 miles southwest of the Baldwin site), Mira Monte Elementary (0.1 miles west of the Nova Lane infill pipe alignment) and Villanova Preparatory High School (0.4 miles east of the Nova Lane infill pipe alignment).
- d. The proposed Project would not involve the use of hazardous materials, hazardous waste or result in hazardous emissions.
- e. No hazardous materials sites compiled pursuant to Government Code Section 65962.5 are located in the Project area. The proposed Project would not affect any such sites or result in a related hazard to the public or the environment.
- f. The nearest airport is the Camarillo Airport, located approximately 18.2 miles southeast of the Baldwin site. The proposed Project does involve any change in land use or other features that could increase safety or noise hazards resulting from airport proximity.
- g. The proposed Project would not involve any change in land use or impair the use of the affected roadways for emergency response or evacuation.

- h. Proposed Project components would be entirely buried and/or composed on non-flammable materials (steel, concrete, masonry) and would not involve any habitable structures or increase the risk of loss, injury or death from wildland fires.

3.9.4 Mitigation Measures and Residual Impacts

None required.

3.10 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
1. Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Substantially increase the rate or amount of surface run-off in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.10.1 Setting

Description of Surface Waters. All Project components would be located within the Ventura River watershed. The watershed covers a fan-shaped area of 235 square miles, which generally flows in a southerly direction to an estuary, located at the mouth of the Ventura River. Groundwater basins composed of alluvial aquifers deposited along the surface water system, are highly interconnected with the surface water system and are quickly recharged or depleted, according to surface flow conditions. Topography in the watershed is rugged and as a result, the surface waters that drain the watershed have very steep gradients, ranging from 40 feet per mile at the mouth to 150 feet per mile at the headwaters. Precipitation varies widely in the watershed. Most occurs as rainfall during just a few storms, between November and March. Summer and fall months are typically dry. Although snow occurs at higher elevations, melting snowpack does not sustain significant runoff in warmer months. The erratic weather pattern, coupled with the steep gradients throughout most of the watershed, result in high flow velocities with most runoff reaching the ocean.

The majority of water quality issues involve eutrophication (excessive nutrients and effects), especially in the estuary/lagoon. In some sub-watersheds, high total dissolved solids concentrations impair the use of water for agriculture. The watershed's water quality problems are, for the most part, nonpoint-source related. There have also been incidents of releases of toxic materials into storm drains entering the lower river.

Groundwater Environment. All Project components sites lie within, and the District produces groundwater from the Upper Ventura River Valley Groundwater Basin. This Basin is bounded on the south by the Lower Ventura River Valley Groundwater Basin, on the east by the Ojai Valley Groundwater Basin, and elsewhere by impermeable rocks of the Santa Ynez Mountains. Groundwater is chiefly found in Holocene and Pleistocene age alluvium and is unconfined. Thickness of the alluvium ranges from 60 to 100 feet; however, it apparently is only 5 to 30 feet in the San Antonio and Coyote Creek areas. The east-trending Santa Ana fault crosses the Basin, but it is not known whether or not the fault is a barrier to groundwater movement. In 1906, the City of Ventura constructed a partial subsurface barrier in the alluvium of the Ventura River near Foster Park to create rising water, which is diverted for domestic uses.

Recharge to the Basin is primarily by percolation of flow in the Ventura River and, to a lesser extent, by percolation of rainfall to the valley floor and excess irrigation water. A slight amount of recharge is derived from subsurface inflow through fractures in the underlying impermeable rocks. Groundwater moves southward through the alluvium following the surface drainage, ultimately entering Lower Ventura River Valley Groundwater Basin below Foster Park. Hydrographs indicate that groundwater levels have been mostly stable in the Basin. Water levels fluctuate seasonally by 5 to 20 feet, but usually recover each year to about the previous high level (California Department of Water Resources, 2004).

Groundwater Management. The 2014 Sustainable Groundwater Management Act requires establishment of a groundwater sustainability agency within two years from the date in which the basin was designated medium or high priority, and adoption of a groundwater sustainability plan within 5 years of the date of said designation. The Upper Ventura River Groundwater Agency (UVRGA) was formed in 2016 as the designated groundwater sustainability agency for the Upper Ventura River Valley Groundwater Basin. The UVRGA was formed pursuant to a joint exercise of powers agreement between five local public agencies overlying the Basin: Casitas Municipal Water District, Meiners Oaks Water District, Ventura River Water District, the City of Ventura, and the County of Ventura. The UVRGA adopted the Groundwater Sustainability Plan (GSP) for the Basin on January 6, 2022, to comply with the Sustainable Groundwater Management Act's statutory and regulatory requirements and initiated planning by engaging with stakeholders and holding public meetings pursuant to an adopted Stakeholder Engagement Plan. The goal of this GSP is to sustainably manage the groundwater resources of the UVRGB for the benefit of current and anticipated future beneficial users of groundwater and the welfare of the general public who rely directly or indirectly on groundwater.

Clean Water Act. In 1972, Congress amended the Federal Water Pollution Control Act, making the addition of pollutants to the waters of the United States from any point source unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. Consistent with the requirements of Clean Water Act Section 303(d) (approved 2020-2022 Integrated Report), the State Water Resources Control Board has identified Ventura River Reach 3 (south of Project components) as impaired waters because identified beneficial uses are not consistently supported. Impairments for Ventura River Reach 3 are associated with indicator bacteria and aquatic toxicity. The State Water Resources Control Board has also identified San Antonio Creek (southeast of Project components) as impaired waters due to elevated levels of indicator bacteria, nitrogen and total dissolved solids.

Total Maximum Daily Loads (TMDLs) have been developed (as required by the Clean Water Act) for many of the impairments in the watershed. The TMDL is a number that represents the assimilative capacity of a receiving water to absorb a pollutant and is the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources plus an allotment for natural background loading, and a margin of safety. TMDLs can be expressed in terms of mass per time (the traditional approach) or in other ways such as toxicity or a percentage reduction or other appropriate measure relating to a water quality objective. A TMDL is implemented by reallocating the total allowable pollution among the different pollutant sources (through the permitting process or other regulatory means) to ensure that the water quality objectives are achieved. TMDLs in effect in all or parts of the Ventura River watershed include those for nutrients, algae and trash (estuary only).

Water Quality Control Plan, Los Angeles Region. The California Porter-Cologne Act assigns the State Water Resources Control Board and Regional Water Quality Control Boards with the responsibility of protecting surface water and ground water quality in California. The Project component sites are within the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). Per the requirements of the Clean Water Act and the California Porter-Cologne Act, LARWQCB has prepared a Water Quality Control Plan for the watersheds under its jurisdiction, last updated in 2014. The Water Quality Control Plan has been designed to support the intentions of the Clean Water Act and the Porter-Cologne Act by (1) characterizing watersheds within the Los Angeles Region; (2) identifying beneficial uses that exist or have the potential to exist in each water body; (3) establishing water quality objectives for each water body to protect beneficial uses or allow their restoration, and; (4) providing an implementation program that achieves water quality objectives. Implementation program measures include monitoring, permitting and enforcement activities.

The Water Quality Control Plan establishes regional qualitative and/or quantitative water objectives that apply to all inland surface waters, estuaries and enclosed bays in the Los Angeles Region. The regional objectives pertain to the following water quality parameters: ammonia, bacteria (coliform), bioaccumulation, bio-chemical oxygen demand, bio-stimulatory substances (e.g., nutrients), chemical constituents, chlorine, color, exotic vegetation, floating material, methylene blue activated substances, mineral quality, nitrogen, oil and grease, dissolved oxygen, pesticides, pH, polychlorinated biphenyls, priority pollutants, radioactive substances, solids, suspended or settleable materials, taste and odor, temperature, toxicity and turbidity.

The Water Quality Control Plan also provides water quality objectives for specific beneficial uses such as municipal water supply, agricultural supply, water contact recreation, non-water contact recreation, cold freshwater aquatic life habitat, fish spawning habitat and shellfish harvesting. Beneficial uses established for the Ventura River in the Project area (San Antonio Creek to Camino Cielo Road) are municipal water supply, industrial water supply, process water supply, agricultural supply, groundwater recharge, freshwater replenishment, warm freshwater habitat, cold freshwater habitat, wildlife habitat, rare species habitat (condor), migration habitat, spawning habitat, wetland habitat, water contact recreation and non-water contact recreation.

Water quality parameters of concern and numeric objectives vary considerably depending on the nature of the beneficial use. For example, objectives for municipal water supply and fish spawning habitat are much more stringent and apply to a greater number of parameters than those for agricultural or industrial water supply. Depending on the type of beneficial use, objectives can apply to parameters such as specific organic chemicals, heavy metals, inorganic ions, nutrients, pH, bacteria levels, temperature, dissolved oxygen, etc. In cases where multiple beneficial uses are designated for a given water body (as is the case for local water bodies), a combination of objectives apply, some of which are for the same parameters. In these cases, the most stringent objective for each water quality parameter applies to the water body.

Storm Water Management. Storm water (wet weather) and non-storm water (dry weather) discharges from the municipal separate storm sewer systems (MS4), or storm drain system within Ventura County are addressed by an NPDES Permit issued to the Ventura County Watershed Protection District (as the Principal Permittee), County of Ventura, and the incorporated cities within. The permit effectively prohibits non-storm discharges into the MS4 and receiving waters with certain exceptions. It also requires that treatment controls to be designed to meet certain performance criteria, that each Permittee implement programs and measures to comply with the TMDLs' waste load allocations for the MS4 specified in the permit, and that regular inspections of various types of commercial facilities be undertaken. A monitoring program must also be implemented.

Flood Hazard. The Baldwin site is located approximately 125 feet east of the Ventura River Regulatory Floodway and immediately adjacent to a Special Flood Hazard Area (1 percent annual chance) as shown on Flood Insurance Rate Map panel 06111C0566F (effective 1/29/21). The Santa Ana water main alignment is located within a Special Flood Hazard Area (1 percent annual chance) as shown on Flood Insurance Rate Map panel 06111C0564F (effective 1/29/21).

3.10.2 Environmental Thresholds

The District has not adopted significance thresholds for water resources impacts. However, impacts that would result in substantial effects to surface water or groundwater or related impacts identified in the checklist questions are typically found to be significant.

3.10.3 Impact Assessment

- a. The proposed Project would not result in direct discharges that may affect surface water or groundwater quality. Storm water run-off from the Parker site during tank construction may degrade surface water quality. The Project would disturb over one acre of land such that it would require coverage under the NPDES General Permit for Discharges of Storm Water Associated with Construction and Land Disturbance Activities (Water Quality Order 2009-0009-DWQ). As required by the conditions of the General Permit, a Storm Water Pollution Prevention Plan (SWPPP) would be prepared, which would include best management practices to be implemented and a monitoring program. The intent of the SWPPP would be to prevent Project-related pollutants from contacting surface water and prevent products of erosion from moving off-site into receiving waters.

The Project would also be subject to the Development Construction Program requirements of the County's Municipal Separate Storm Sewer System (MS4) Permit (Order no. R4-2010-0108). Implementation of the SWPPP, monitoring required under the General Permit and compliance with the County's MS4 Permit would prevent significant impacts to surface water quality.

Proposed flood improvements at the Baldwin site (larger culverts and new weir, see Section 2.2.10) would prevent erosion and overbank flow associated with existing storm water run-off from adjacent properties and would not affect the volume or quality of storm water run-off to the Ventura River.

- b. The proposed Project would not result in any increase in groundwater usage or otherwise affect groundwater management of the Upper Ventura River Groundwater Basin. The Project would not interfere with groundwater recharge as the existing storm water percolation area at the Baldwin site would be retained.
- c. The Project would not alter existing drainage patterns or alter the course of a stream or river. The Project-related increase in impervious surfaces would be limited to the Parker second tank site (approximately 0.3 acres), where storm water run-off would be collected and dissipated by on-site drainage systems and not result in erosion or flooding, or exceed the capacity of the off-site storm water drainage along Valley Meadow Drive.

Excluding the new Baldwin pumps and the Santa Ana water main, all proposed facilities would be located above the 100-year flood elevation. The Baldwin pumps would be located at the same site as the existing pumps, slightly below the 100-year flood elevation. The Santa Ana water main would be buried under existing roadways and not affect floodwater elevations. The proposed Baldwin site flood wall (see Section 2.2.9) would only slightly deflect extreme flood flows in the Ventura River and not impede or substantially redirect these flows. Overall, the proposed Project would not impede or redirect flood flows, would not increase flood water elevations and would not increase flood hazards at the Baldwin site or adjacent properties.

- d. Project components would not be located in a tsunami inundation hazard zone or seiche hazard area. The Santa Ana water main is the only Project component located within a flood hazard area. This pipeline would be buried under existing roadways and could not release pollutants in the unlikely event it was damaged by flood flows. Overall, no Project-related increase in public exposure to flood, tsunami, seiche or water pollutant hazards would occur.
- e. See the discussion under part b. above.

3.10.4 Mitigation Measures and Residual Impacts

None required.

3.11 LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.11.1 Setting

Table 7 provides the parcel number, existing land use, zoning designation and general plan land use designation for all Project component sites.

Table 7. Project Component Site Land Use Summary

Site	Parcel Nos.	Existing Land Use	Zoning	Land Use
Tico Mutual Annexation: water main	032-0-120-04, -05, -06, -07	Private road (alley)	Ventura County RE-1 ac	Very low density residential
Tico Mutual Annexation: SR 33 crossing near Wiley Street	032-0-160-03 (Ojai Valley Trail), Caltrans right-of-way	Public highway, Ojai Valley Trail	Ventura County TP-160 ac	ECU-Agricultural
Tico Mutual Annexation: SR 33 crossing near Barbara Street	032-0-174-11 (Ojai Valley Trail), Caltrans right-of-way	Public highway, Ojai Valley Trail	Ventura County RE-10,000 sf	Low density residential
Emergency Turn-out at Ojai Terrace	La Paz Drive right-of-way	Public roadway	Ojai R-1	HR: up to 15 dwelling units/acre
Ojai Terrace Pipe Replacements	N. Carillo Road and Vallero Avenue right-of-way, 017-0-302-10 or 017-0-304-14	Shopping center, public roadway	Ojai C-1, R-1	GC: General Commercial, HR: up to 15 dwelling units/acre
Encino Drive and Thomas Street PRV vaults	Encino Drive and Thomas Street right-of-way	Public roadway	Ventura County RE-2 ac, R1-6000 ft	Encino Drive: rural Thomas Street: low density residential
Santa Ana water main	Santa Ana Road and Santa Ana Boulevard right-of-way, 031-0-111-69	Public roadways, rural residential	Ventura County RE-1 ac	Very low density residential
In-fill pipe along SR 33/150	018-0-050-03 (Ojai Valley Trail), Caltrans right-of-way	Public highway, Ojai Valley Trail	Ventura County RE-1 ac	Open space
Loma Drive water main	Loma Drive right-of-way	Public roadway	Ventura County RE-20,000 sf	Very low density residential
Parker site	033-0-150-55	Water storage and pumping	Ventura County AE-40 ac	Open space

Site	Parcel Nos.	Existing Land Use	Zoning	Land Use
Baldwin site	011-0-270-01	Groundwater extraction, treatment, pumping and storage	Ventura County RE-1 ac	Very low density residential

3.11.2 Environmental Thresholds

The District has not adopted any significance thresholds related to land use and planning.

3.11.3 Impact Analysis

- a. The proposed Project would not result in any change in land use or otherwise divide an established community.
- b. The proposed Project would be consistent with applicable Ventura County and City of Ojai policies and regulations protecting environmental resources. The proposed Project would involve the removal of oak trees but is exempt from local building and zoning ordinances (including the Ventura County Tree Protection Ordinance) under Section 53091 of the California Government Code.
- c. The Project component sites are not subject to a habitat conservation plan or natural community conservation plan and would not conflict with any such plan.

3.11.4 Mitigation Measures and Residual Impacts

None required.

3.12 MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Result in the loss or availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.12.1 Setting

Petroleum. Three idle oil and gas wells (dry holes) are located approximately 0.9 miles south of the Santa Ana water main alignment. The nearest active oil wells are located on the Bailey Lease in the Ojai Oil Field, approximately 3.0 miles northeast of the Parker site.

Aggregate. Non-petroleum mineral resources in the Project region are limited to construction-grade sand and gravel. Areas along the Ventura River, including the Baldwin site and Santa Ana water main alignment have been assigned a Mineral Land Classification of MRZ-3a by the California Division of Mines and Geology (1993), meaning these areas may contain significant aggregate deposits. The Parker site has been assigned a Mineral Land Classification of MRZ-4 by the California Division of Mines and Geology (1993), meaning data is inadequate to assign any other mineral land classification. The nearest aggregate production site is the Ojai Quarry, located approximately 3.7 miles north of the Baldwin site.

3.12.2 Environmental Thresholds

The District has not identified any thresholds of significance related to mineral resources.

3.12.3 Impact Analysis

- a. Although the Baldwin site may contain aggregate resources, its current and proposed land use (groundwater production and storage) prevents harvesting any such resources. The proposed Project would not hamper the extraction of aggregate resources in the region. Therefore, no impacts to such resources would occur as result of Project implementation.
- b. The proposed Project would not adversely affect petroleum production or other mineral resource production sites, or the availability of these resources.

3.12.4 Mitigation Measures and Residual Impacts

None required.

3.13 NOISE

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.13.1 Setting

Sound, Noise and Acoustics Background. Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a liquid or gaseous medium (e.g., air) to a hearing organ, such as a human ear. Noise is defined as loud, unexpected or annoying sound. In the science of acoustics, the fundamental model consists of a sound (or noise) source, a receiver, and the propagation path between the two. The loudness of the noise source and obstructions or atmospheric factors affecting the propagation path to the receiver determines the sound level and characteristics of the noise perceived by the receiver. The field of acoustics deals primarily with the propagation and control of sound.

Continuous sound can be described by frequency (pitch) and amplitude (loudness). A low-frequency sound is perceived as low in pitch. Frequency is expressed in terms of cycles per second, or Hertz (Hz) (e.g., a frequency of 250 cycles per second is referred to as 250 Hz). High frequencies are sometimes more conveniently expressed in kilohertz (kHz), or thousands of Hertz. The audible frequency range for humans is generally between 20 Hz and 20,000 Hz.

The amplitude of pressure waves generated by a sound source determines the loudness of that source. Sound pressure amplitude is measured in micro-Pascals (mPa). One mPa is approximately one hundred billionth (0.0000000001) of normal atmospheric pressure. Sound pressure amplitudes for different kinds of noise environments can range from less than 100 to 100,000,000 mPa. Because of this huge range of values, sound is rarely expressed in terms of mPa. Instead, a logarithmic scale is used to describe sound pressure level in terms of decibels (dB). The threshold of hearing for young people is about 0 dB, which corresponds to 20 mPa.

Because decibels are logarithmic units, sound pressure level cannot be added or subtracted through ordinary arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dB increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dB higher than one source under the same conditions. For example, if one automobile produces a sound pressure level of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dB, they would combine to produce 73 dB. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dB louder than one source.

The decibel scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Although the intensity (energy per unit area) of the sound is a purely physical quantity, the loudness or human response is determined by the characteristics of the human ear. Human hearing is limited in the range of audible frequencies as well as in the way it perceives the sound pressure level in that range. In general, people are most sensitive to the frequency range of 1,000–8,000 Hz and perceive sounds within that range better than sounds of the same amplitude in higher or lower frequencies. To approximate the response of the human ear, sound levels of individual frequency bands are weighted, depending on the human sensitivity to those frequencies. Then, an “A-weighted” sound level (expressed in units of dBA) can be computed based on this information.

The A-weighting network approximates the frequency response of the average young ear when listening to most ordinary sounds. When people make judgments of the relative loudness or annoyance of a sound, their judgments correlate well with the A-scale sound levels of those sounds. Other weighting networks have been devised to address high noise levels or other special problems (e.g., B-, C-, and D-scales), but these scales are rarely used in noise impact assessments. Noise levels for impact assessments are typically reported in terms of A-weighted decibels or dBA.

As discussed above, doubling sound energy results in a three dB increase in sound. However, given a sound level change measured with precise instrumentation, the subjective human perception of a doubling of loudness will usually be different than what is measured.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern one dB changes in sound levels, when exposed to steady, single-frequency (“pure-tone”) signals in the midfrequency (1,000 Hz–8,000 Hz) range. In typical noisy environments, changes in noise of one to two dB are generally not perceptible. However, it is widely accepted that people are able to begin to detect sound level increases of three dB in typical noisy environments. Further, a five dB increase is generally perceived as a distinctly noticeable increase, and a 10 dB increase is generally perceived as a doubling of loudness. Therefore, a doubling of sound energy (e.g., doubling the volume of traffic on a highway) that would result in a three dB increase in sound, would generally be perceived as barely detectable.

Noise Descriptors. Noise in our daily environment fluctuates over time. Some fluctuations are minor, but some are substantial. Some noise levels occur in regular patterns, but others are random. Some noise levels fluctuate rapidly, but others slowly. Some noise levels vary widely, but others are relatively constant. Various noise descriptors have been developed to describe time-varying noise levels. The following are the noise descriptors most commonly used in community noise analysis.

- Equivalent Sound Level (Leq) represents an average of the sound energy occurring over a specified period. The one-hour A-weighted equivalent sound level (Leq[h]) is the energy average of A-weighted sound levels occurring during a one-hour period.
- Percentile-Exceeded Sound Level represents the sound level exceeded for a given percentage of a specified period (e.g., L10 is the sound level exceeded 10% of the time, and L90 is the sound level exceeded 90% of the time).
- Maximum Sound Level is the highest instantaneous sound level measured during a specified period.
- Day-Night Level is the energy average of A-weighted sound levels occurring over a 24-hour period, with a 10 dB penalty applied to A-weighted sound levels occurring during nighttime hours between 10:00 p.m. and 7:00 a.m.

- **Community Noise Equivalent Level (CNEL)** is the energy average of the A-weighted sound levels occurring over a 24-hour period, with a 10 dB penalty applied to A-weighted sound levels occurring during the nighttime hours between 10:00 p.m. and 7:00 a.m., and a five dB penalty applied to the A-weighted sound levels occurring during evening hours between 7:00 p.m. and 10:00 p.m.

Sensitive Receptors. Consistent with Ventura County guidelines, noise sensitive uses are considered dwellings, schools, hospitals, nursing homes, churches and libraries.

Characteristics of Ground-borne Vibration and Noise. In contrast to airborne noise, ground-borne vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of ground-borne vibration are trains, buses on rough roads, and construction activities such as blasting, pile-driving and operating heavy earth-moving equipment.

The effects of ground-borne vibration include detectable movement of the building floors, rattling of windows, shaking of items on shelves or hanging on walls and rumbling sounds. In extreme cases, the vibration can cause damage to buildings. Building damage is not a factor for most projects, with the occasional exception of blasting and pile-driving during construction. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by only a small margin. A vibration level that causes annoyance would be well below the damage threshold for normal buildings.

Vibration is an oscillatory motion which can be described in terms of the displacement, velocity or acceleration. Because the motion is oscillatory, there is no net movement of the vibration element and the average of any of the motion descriptors is zero. Displacement is the easiest descriptor to understand. For a vibrating floor, the displacement is simply the distance that a point on the floor moves away from its static position. The velocity represents the instantaneous speed of the floor movement and acceleration is the rate of change of the speed. The peak particle velocity (PPV) is defined as the maximum instantaneous positive or negative peak of the vibration signal. PPV is often used in monitoring of blasting vibration since it is related to the stresses that are experienced by buildings.

Project Area Noise Environment. The noise environment of areas potentially affected by the proposed Project is dominated by traffic noise generated by State Routes 33 and 150, as well as local traffic on roadways adjacent to or within Project component sites. A 30-minute noise measurement at the SR 33/Valley Meadow Drive intersection conducted on August 8, 2016 for the Ventura County 2040 General Plan yielded a noise level of 48.0 dBA Leq. This datum indicates noise levels are relatively low in the Project area.

Existing Traffic Noise. Modeled traffic noise data taken from the Ventura County 2040 General Plan Background Report for roadways near Project components are presented Table 8.

Table 8. Modeled Traffic Noise Data

Roadway	Noise Level 50 feet from Centerline (dBA CNEL)	Nearest Project Component	Distance to Component
SR 150 at SR 33	62.9	Baldwin site	0.5 miles
Rice Road south of Lomita Avenue	59.2	Baldwin site	0.2 miles
Burnham Road east of Santa Ana Road	54.4	Santa Ana water main	Site includes this intersection
Santa Ana Road south of Santa Ana Blvd	57.5	Santa Ana water main	Site includes Santa Ana Road
SR 33; Ventura Avenue to SR 150	66.5	Parker site	0.2 miles
SR 33: SR 150 to El Roblar Drive	57.4	Ojai Terrace pipe replacements	0.1 miles

Project-Specific Noise Measurements. Baseline ambient noise levels were measured at locations near residences adjacent to the Baldwin site and Parker site on September 21, 2022. Ambient noise data collected is summarized in Table 9.

Table 9. Summary of Ambient Noise Data Collected on September 21, 2022 (dBA Leq)

Location	Dominant Noise Sources	Measurement Period	Noise Level (dBA Leq)
Terminus of Highland Drive near the Parker site	Distant construction equipment, traffic on Highland Drive and Sumac Drive	7:42-8:04 a.m. (20-minute run time)	45.5
Old Baldwin Road near the Baldwin site	Traffic on Old Baldwin Road and SR 150	8:12-8:32 a.m.	55.9

3.13.2 Environmental Thresholds

Noise. For the purposes of determining the significance of noise impacts, the following thresholds are taken from Policy HAZ-9.2 of the Ventura County 2040 General Plan:

Noise-sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that:

- Indoor noise levels in habitable rooms do not exceed 45 dBA CNEL; and
- Outdoor noise levels do not exceed 60 dBA CNEL or 65 dBA Leq during any hour.

Noise generators proposed to be located near any noise sensitive use shall incorporate noise control measures so that ongoing outdoor noise levels received at the noise receptor, measured at the exterior wall of the building do not exceed any of the following standards:

- Leq1H of 55 dBA or ambient noise level plus 3 dBA, whichever is greater, during any hour from 6 a.m. and 7 p.m.
- Leq1H of 50 dBA or ambient noise level plus 3 dBA, whichever is greater, during any hour from 7 p.m. and 10 p.m.
- Leq1H of 45 dBA or ambient noise level plus 3 dBA, whichever is greater, during any hour from 10 p.m. and 6 a.m.

Ventura County 2040 General Plan Policy HAZ-9.2(5) requires construction noise to be evaluated and mitigated in accordance with the Construction Noise Threshold Criteria and Control Plan prepared by Advanced Engineering Acoustics (2010). Based on this document, noise-sensitive receptors include:

- Hospitals and nursing homes (sensitive 24 hours/day).
- Residences (sensitive during evening and nighttime – 7 pm to 7 am).
- Hotels and motels (sensitive during evening and nighttime).
- Schools, churches and libraries (daytime and evening, when in use).

Project-related demolition and construction activities are planned to be limited to 7 a.m. to 5 p.m.; therefore, local residences would not be considered noise-sensitive receptors. However, if evening or nighttime construction work occurs, the following noise thresholds would apply:

- 50 dBA Leq OR ambient noise level + 3 dBA, for evening construction (7 to 10 p.m.)
- 45 dBA Leq OR ambient noise level + 3 dBA, for nighttime construction (10 p.m. to 7 a.m.)

Vibration. Caltrans has published a Transportation and Construction Vibration Guidance Manual, which provides criteria for allowable vibration in terms of potential annoyance to people, as well as potential damage to buildings. The following thresholds for continuous/frequent intermittent sources such as construction equipment are provided by Caltrans (2013), expressed as the peak particle velocity (PPV, inch/seconds):

- Human effects: barely perceptible – 0.01; distinctly perceptible – 0.04; strongly perceptible – 0.10
- Damage to structures: fragile buildings - 0.1; older residential – 0.3; new residential and commercial – 0.5

3.13.3 Impact Analysis

- a. Tank construction would result in the greatest noise levels and have the longest construction duration (about six months) of the Project components. Therefore, peak day noise levels associated with tank construction at both the Baldwin and Parker sites was estimated at the nearest residence using the Federal Highway Administration's Roadway Construction Noise Model. Peak day noise levels (during earthwork) were estimated as 69.8 dBA Leq at the nearest residence at the Baldwin site, and 76.5 dBA Leq at the Parker site. Should rock crushing be conducted at the Parker site, the noise level at the nearest residence would be increased to 78.4 dBA Leq. Installation of waterlines, pumps and solar panels would generate lower noise levels for much shorter periods.

Work would not be conducted during the evening or nighttime; therefore, local residences are not considered noise-sensitive receptors according to Ventura County 2040 General Plan Policy HAZ-9.2(5). Therefore, construction noise impacts are considered less than significant. However, due to the long duration and relatively high noise levels generated by tank construction (especially if rock crushing is needed) at residences north of the Parker site, the District plans to install a minimum 10-foot-tall temporary sound wall along the northern perimeter of the Parker site (with a sound transmission class of STC-30 or better, minimum sound transmission loss of 11 dB at 63 hertz) to reduce noise impacts to adjacent residences.

Overall, implementation of the proposed Project would have a minimal effect on District operations because the same volume of groundwater would be pumped, treated, stored and distributed to existing customers. Noise associated with operation of District facilities (including new components) would be reduced because the standby generator at the Baldwin site would be operated less often due to power provided by the proposed solar energy facility and the proposed sound wall would reduce noise levels when it is operating.

- b. Tank construction (earthwork) would generate the highest ground-borne noise and vibration level of the Project components. The peak day vibration level (PPV) was estimated for tank construction using California Department of Transportation's Transportation and Construction Vibration Guidance Manual at the Parker site due to the proximity of residences. The estimated vibration level is 0.0196 inches/second at the nearest residence, which would be barely perceptible and would not result in any structural damage. Therefore, Project-related ground-borne noise and vibration would be less than significant.
- c. The Project component sites are not located in proximity to a public or private airport and would not increase the exposure of the public to aviation noise.

3.13.4 Mitigation Measures and Residual Impacts

None required.

3.14 POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.14.1 Setting

Based on estimates provided by the California Department of Finance, the January 2022 population of Ventura County and the City of Ojai is 833,652 and 7,466, respectively. As of 2018, there are approximately 287,498 housing units in Ventura County. As of 2020, there are approximately 3,481 housing units in the City of Ojai.

3.14.2 Impact Analysis

- a. The proposed Project does not involve any increase in water production, treatment or extension of the District's water distribution infrastructure. Therefore, the Project would not induce development or population growth.
- b. No people or housing would be displaced by proposed Project components and construction of replacement housing would not be necessary.

3.14.3 Mitigation Measures and Residual Impacts

None required.

3.15 PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.15.1 Setting

The Project component sites are provided fire protection by the Ventura County Fire Department, with Station 21 serving the City of Ojai, Station 22 serving Meiners Oaks and Station 23 serving Oak View and Casitas Springs. Police protection is provided by the Ventura County Sheriff and Ojai Police Department. The nearest schools are Nordhoff High School (within 150 feet of the emergency turn-out along La Paz Drive and water main improvements within Vallerio Avenue), Sunset Elementary (0.7 miles southeast of the Santa Ana water main alignment), Montessori of Ojai (0.6 miles southwest of the Baldwin site), Mira Monte Elementary (0.1 miles west of the Nova Lane infill pipe alignment) and Villanova Preparatory High School (0.4 miles east of the Nova Lane infill pipe alignment).

3.15.2 Impact Analysis

- a. The proposed Project would not provide or increase the demand for public services or facilities. Therefore, no impacts to schools, parks and other public facilities or increased demand for such facilities would occur.

3.15.3 Mitigation Measures and Residual Impacts

None required.

3.16 RECREATION

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.16.1 Setting

Recreational areas in proximity to Project component sites include the Ventura River Preserve (hiking, biking, equestrian use) adjacent to the Baldwin site and the Ojai Meadows Preserve (hiking, biking, equestrian use) near the proposed La Paz Drive emergency turn-out.

3.16.2 Impact Analysis

- a. The proposed Project would not result in population growth and would not increase the use of existing neighborhood or regional parks, or any other recreational facilities. As such, the proposed Project would not result in the accelerated physical deterioration of any recreational facilities. Proposed improvements at the Baldwin site would not encroach into the Ventura River Preserve or otherwise affect recreational use of this area.
- b. The proposed Project would not involve the construction or expansion of any recreational facilities. Thus, the Project would not have any impacts on the physical environment associated with the construction or use of recreational facilities.

3.16.3 Mitigation Measures and Residual Impacts

None required.

3.17 TRANSPORTATION

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the project conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.17.1 Setting

The Project component sites are accessed from SR 33, Old Baldwin Road, South Rice Road, Santa Ana Boulevard, Encino Drive, Highland Drive and Vallerio Avenue. Year 2020 traffic volumes on SR 33 south of the Baldwin Road intersection as reported by Caltrans are 1,650 peak hour and 21,600 average daily. Available 2021 traffic volumes on affected County roadways are 160 a.m. peak and 110 p.m. peak for Santa Ana Boulevard east of Riverside Road.

3.17.2 Impact Analysis

- a. The proposed Project does not include any new land uses that may create demand for transportation facilities and would not conflict with local or regional transportation planning.

- b. The proposed Project would generate temporary construction-related vehicle trips, vehicle miles traveled and associated climate change and air quality impacts. The proposed Project would generate up to 44 one-way vehicle trips per day associated with worker and equipment transportation, import of materials and export of unusable earth material. No new long-term vehicle trips would be required to operate and maintain the proposed Project components. Projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant transportation impact (Governor's Office of Planning and Research, 2018). Therefore, the Project is consistent with Section 15064.3 of the State CEQA Guidelines.
- c. The proposed Project would not involve any changes to roadways or incompatible uses of existing roadways. Therefore, no Project-related increases in traffic hazards would occur.
- d. The proposed Project would not require emergency services or create conditions that would impede emergency access for adjacent land uses.

3.17.3 Mitigation Measures and Residual Impacts

None required.

3.18 TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is:				
1. Listed or eligible for listing in the California Register of Historic Resources, or in the local register of historic resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to subdivision c. of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision c. of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.18.1 Setting

See Section 3.5.1.

3.18.2 Impact Analysis

- a. The cultural resources records search and the archaeological field survey did not identify any archeological or tribal resources within the Project component sites or an 0.25-mile search radius. Therefore, tribal resources (if present) would not be disturbed.

3.18.3 Mitigation Measures and Residual Impacts

None required.

3.19 UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Require or result in the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.19.1 Setting

Utility providers serving the Project area include:

- Water supply: District and Casitas Municipal Water District
- Municipal wastewater collection and treatment: Ojai Valley Sanitary District
- Solid waste collection: E.J. Harrison & Sons
- Solid waste disposal: Toland Road Landfill via the Del Norte Recycling and Transfer Station

3.19.2 Impact Analysis

- a. The proposed Project would not involve any new land uses that may require the construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas or telecommunications facilities. Proposed improvements to the District's water storage and distribution system would not require any action by other agencies or utilities.
- b. Small amounts of potable water would be used during construction of Project components and initial testing of facilities. However, this temporary consumption would not affect the District's ability to meet the demand for existing and reasonably foreseeable development.
- c. The proposed Project would not generate municipal wastewater and would not affect the capacity of any wastewater treatment provider.
- d. A small amount of solid waste would be generated by Project construction, including Baldwin site demolition-related materials and construction materials packaging. These materials would be recycled to the extent feasible and would not affect the capacity of local landfills or impair attainment of State-mandated municipal solid waste reduction goals. Any excess earth material generated by tank construction or pipeline installation would be offered to contractors for use at other construction sites.
- e. The District complies with all federal, State and local statutes relating to solid waste, and would continue to do so during the construction and operation of Project components. As such, no impacts of this type are expected to result.

3.19.3 Mitigation Measures and Residual Impacts

None required.

3.20 WILDFIRE

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project?				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.20.1 Setting

The Parker site is located within a Moderate Fire Hazard Severity Zone as designed by the California Department of Forestry and Fire Protection. None of the Project component sites are located in high fire hazard zones.

3.20.2 Impact Analysis

- a. The Project component sites are not located in or near a very high fire hazard severity zone and would not impair emergency response or evacuation.
- b. The Project component sites are not located in or near a very high fire hazard severity zone and would not involve any habitable structures or have any occupants.
- c. The Project would not require any supporting infrastructure or increased maintenance of existing infrastructure supporting wildfire response.
- d. The proposed Project would not increase the risk of people or structures to wildfire-related flooding and landslides.

3.20.3 Mitigation Measures and Residual Impacts

None required.

4.0 CUMULATIVE IMPACTS

Cumulative impacts are defined as two or more individual effects which, when considered together are considerable, or which compound or increase other environmental impacts. Under Section 15064 of the State CEQA Guidelines, the lead agency (District) must identify cumulative impacts, determine their significance and determine if the effects of a project are cumulatively considerable.

4.1 DESCRIPTION OF CUMULATIVE PROJECTS

4.1.1 Ventura County

The Ventura County Resource Management Agency Planning Division's list of recently approved and under review projects was reviewed to identify recently approved projects and projects currently under review in nearby areas that may result in a substantial physical change to the environment. These projects are limited to:

- Continued operation and minor improvements to an organic green-waste and composting facility at 534 Baldwin Road, Ojai.
- Six new cabins and a reception area at Camp Ramah at 385 Fairview Road, Ojai.

4.1.2 City of Ojai

Most projects currently under review or recently approved by City Planning would result in only very small physical changes to the environment such as oak tree removal, residential or small commercial remodeling or additions, and small accessory dwelling units. Projects that may result in a substantial physical change to the environment are limited to:

- Two new single-family residences, accessory dwelling unit and pool house at 1303 North Montgomery Street.
- New emergency center for the Ventura County Humane Society at 402 South Bryant Street.

4.2 DISCUSSION OF CUMULATIVE IMPACTS

4.2.1 Aesthetics

The proposed Project would not incrementally contribute to aesthetics impacts of the cumulative projects because none of the other cumulative projects would be visible from the same public viewing areas.

4.2.2 Air Quality

Construction-related air pollutant emissions associated with the Project would incrementally contribute to air pollutant emissions of the cumulative projects. However, the Project's incremental contribution to cumulative air quality impacts would not be considerable.

4.2.3 Biological Resources

The proposed Project would incrementally contribute to removal of oak trees and associated wildlife habitat that would occur with implementation of the cumulative projects. However, the Project's incremental contribution to cumulative impacts would not be considerable due to the abundance of these trees and habitat in the Project area.

4.2.4 Cultural Resources

The proposed Project may incrementally contribute to cultural resources impacts of the cumulative projects. However, mitigation is provided to avoid significant impacts and the Project's incremental contribution to cumulative cultural resources impacts would not be considerable.

4.2.5 Geology and Soils

Impacts of the proposed Project related to geology and soils would be site specific and not incrementally contribute to impacts of the cumulative projects.

4.2.6 Greenhouse Gas Emissions

By their nature and potential global effects, greenhouse gas emissions are a cumulative issue. The Project would generate greenhouse gas emissions during construction, which would incrementally contribute to cumulative impacts. However, Project emissions would be much less than any adopted threshold and are considered less than significant on a cumulative basis.

4.2.7 Water Resources

Potential construction-related surface water quality degradation associated with the Project may incrementally contribute to water quality impacts of cumulative projects that drain to the Ventura River. Implementation of a stormwater pollution prevention plan required under the NPDES General Permit would minimize water quality impacts such that the incremental contribution to cumulative water quality impacts would not be considerable.

4.2.8 Noise

Construction-related noise associated with the cumulative projects would not be additive, because it would not affect the same noise receptors. In any case, Project noise impacts at nearby sensitive receptors would be less than significant. In addition, the District plans to provide a temporary noise barrier at the Parker site to reduce construction noise levels. Therefore, the incremental contribution to cumulative noise impacts would not be considerable.

4.2.9 Transportation

Construction-related vehicle trips and miles travelled would be minor and consistent with local transportation planning. No new operation-related vehicle trips or vehicle miles travel would result from Project implementation. Therefore, the Project's incremental contribution to transportation impacts would not be cumulatively considerable.

5.0 MANDATORY FINDINGS OF SIGNIFICANCE

MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. Project impacts on wildlife habitat, rare or endangered plants and animals would be less than significant. The Project may adversely affect cultural resources, but mitigation is provided to avoid significant impacts.
- b. The incremental cumulative impacts of the Project would not be cumulatively considerable.
- c. The Project would not result in significant impacts to air quality, water quality and noise.

6.0 DETERMINATION OF ENVIRONMENTAL DOCUMENT

On the basis of this evaluation:

- ☐ I find the Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- ☒ I find that although the Project could have a significant impact on the environment, there will not be a significant effect with the implementation of mitigation measures described in this Initial Study. A MITIGATED NEGATIVE DECLARATION should be prepared.
- ☐ I find the Project, individually and/or cumulatively, MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.



Signature of Person Responsible for Administering the Project

2-14-23

Date

7.0 REFERENCES

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APPENDIX A

PUBLIC COMMENTS AND RESPONSES

APPENDIX A
COMMENTS RECEIVED ON THE DRAFT
MITIGATED NEGATIVE DECLARATION

Note that the last two comment letters were received after the close of the public comment period (February 3, 2023). However, responses to the comment letters are provided as a courtesy.

<u>Party</u>	<u>Date</u>
1. Ventura County Public Works, Watershed Protection District	February 1, 2023
2. Ventura County Resource Management Agency, Environmental Health	February 1, 2023
3. Ventura County Air Pollution Control District	February 1, 2023
4. California Department of Fish and Wildlife	February 3, 2023
5. Ventura Local Agency Formation Commission	February 7, 2023
6. State Water Resources Control Board	February 8, 2023

Watershed Protection have the following comments. Please let us know if you have any questions.

1. One of the 2023 water projects – Santa Ana Water Main will cross the Live Oak Creek, which is a Ventura County Watershed Protection (WP) Jurisdictional redline channel. The project proponent is hereby informed that it is the WP's standard that a project cannot impair, divert, impede, or alter the characteristics of the flow of water running in any jurisdictional red line channel under the requirements of Ordinance WP-2.
2. The project proponent, therefore, must obtain a Watercourse Permit from the WP to perform any work within, under, or over the redline channel.

Thank you,

Dawn Husted

Management Assistant II

Watershed Protection – Planning & Permits



800 S. Victoria Ave. / #1610

Ventura, CA 93009

P: 805.662-6882

[VCPWA Online](#) | [Facebook](#) | [Twitter](#)

Commenter: Dawn Husted, Ventura County Public Works, Watershed Protection District

Date: February 1, 2023

Response:

The proposed Santa Ana Water Main crossing of Live Oak Creek would consist of an 8-inch diameter PVC pipe within the roadway right-of-way. A watercourse permit would be obtained, should installation of the new pipe require modification of the existing culvert under Santa Ana Blvd.



February 1, 2023

Ventura River Water District
ATTN: Mr. Bert Rapp
409 Old Baldwin Rd.
Ojai, CA 93023

**Ventura River Water District 2023 Water Projects, Environmental Document Review –
Public Draft Mitigated Negative Declaration, (RMA REF # 22-038)**

Ventura County Environmental Health Division (Division) staff reviewed the information provided for the subject project. The Division provides the following comment:

The proposed project includes a chlorination facility improvement that involves the relocation and upgrade of existing chlorination facility components, including a new 3,000-gallon chemical tank for storage of 6-percent sodium hypochlorite solution for water disinfection.

Ventura County Initial Study Assessment Guidelines (ISAG) section 20a and 20b addresses impacts related to Hazardous Materials and Hazardous Wastes. The Mitigated Negative Declaration assesses impacts to those elements described in the document as having a **Less Than Significant Impact**. This Division also assesses this element as having **Less Than Significant Impact** since the project will utilize hazardous materials that are subject to regulation by this Division's Certified Unified Program Agency (CUPA). Compliance with applicable state regulations enforced by this Division will reduce potential project related and cumulative impacts to a Less Than Significant level. Hazardous materials and/or hazardous wastes at or above the reportable thresholds must be reported to this CUPA. Contact the CUPA for reporting and/or permitting requirements.

<https://vcrma.org/cupa>

If you have any questions, please contact me at (805) 654-5040 or Timothy.Krone@ventura.org.

Timothy Krone, R.E.H.S.
Land Use Section
Environmental Health Division

Commenter: Timothy Krone, Ventura County Resource Management Agency, Environmental Health

Date: February 1, 2023

Response:

The comment letter does not dispute the findings of the IS/MND. Therefore, no response is needed. The project does not include any additional use of hazardous materials or generate any hazardous waste. However, the District will contact the CUPA to confirm there are no new reporting or permitting requirements.



**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Bert Rapp, District Manager

DATE: February 1, 2022

FROM: Nicole Collazo, Air Quality Specialist, VCAPCD Planning Division

A handwritten signature in black ink, appearing to read 'NC', with a horizontal line extending to the right.

SUBJECT: Mitigated Negative Declaration for the Ventura River Water District's 2023
Water Projects Project (RMA 22-038)

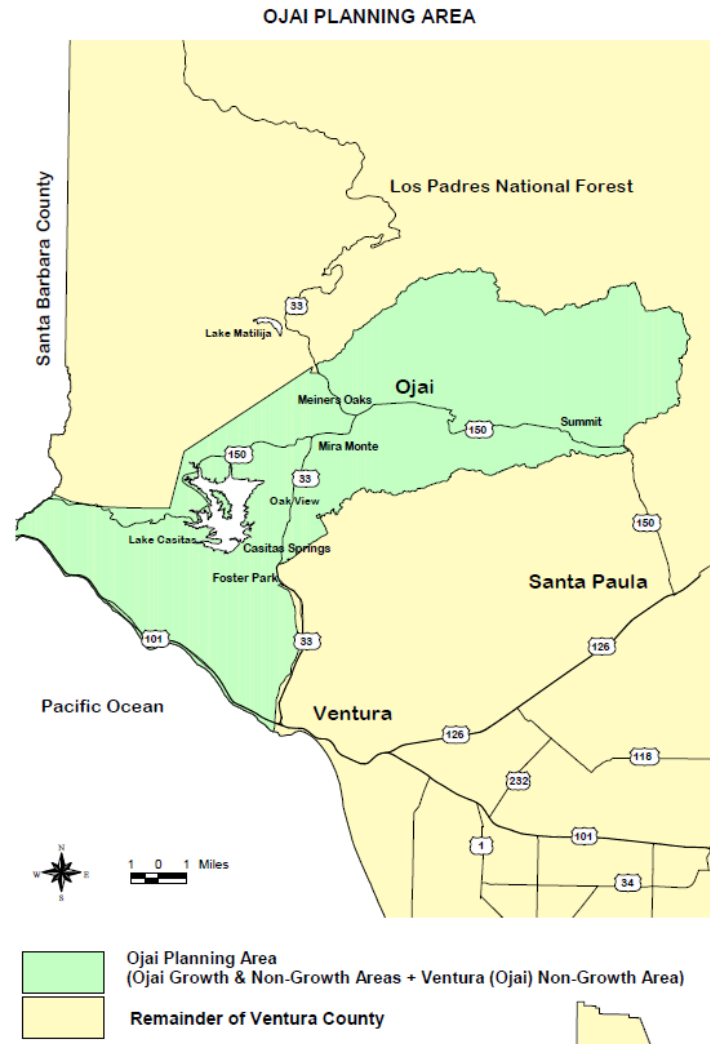
Ventura County Air Pollution Control District (APCD) staff has reviewed the subject Mitigated Negative Declaration (MND), which analyzed the environmental impacts of a project that involves a series of construction projects which would improve an existing water system, of which uses include drinking and irrigation. The proposed project includes between approximately 7,100 linear feet of 16-inch-diameter potable water pipeline, two booster pump stations, replacement of select portions of the existing Rincon Main Pipeline, and improvements to infrastructure at other existing CMWD facilities. The Lead Agency is the Ventura River Water District.

APCD has the following comments regarding the project's MND.

General Comments

- 1) APCD would like to make the applicant aware that it administers several Incentive Programs which may help cover the cost of installation for proposed EV charging stations (MND Page MND-3), provided the chargers would be open to the public. More information on the incentive programs is located here: http://www.vcapcd.org/grant_programs.htm#CMP
- 2) APCD would like to note that a more recent Air Quality Management Plan (AQMP) was adopted, the 2022 AQMP, and discussions about the 2016 AQMP may be updated to reflect this recently adopted air planning document (MND Pages 29-30).
- 3) The mitigation measures list for air quality in MND Page MND-6 is missing the mitigation measure to require construction off-road equipment at Tier 3 or Tier 4 (MND, Page 35). Due to the proximity of sensitive receptors, estimated construction length of 12 months, and projects being located in the Ojai Valley that has a lower CEQA threshold, it is recommended Tier 4 be the required minimum. It is also recommended these measures become enforceable by incorporation into a discretionary permit, such as a grading permit.
- 4) Mitigation measure point 8 for air quality regarding street sweepers should also indicate the sweepers be PM10-certified or SCAQMD Rule 1186 approved, per APCD Rule 55, *Fugitive Dust*.

5) The projects are located in the Ojai Planning Area (Ojai Valley Growth and Non-Growth Area), which would indicate the CEQA significance thresholds to use should be 5 lbs./day ROC and NO_x, not 25 lbs./day ROC and NO_x. More on the Ojai Valley's thresholds can be found in Section 3.3.1, Section 5.2, Figure 3-1, and Figure 4-1 of the Ventura County Air Quality Assessment Guidelines (AQAG). A map is also available below. It is understood that construction emissions are temporary



and not to be included in the significance determination for CEQA purposes, however, because Ventura County remains in non-attainment for the PM₁₀ ambient air quality standard, the AQAG still recommends construction emissions be quantified, compared against the applicable thresholds, and emissions mitigated by way of enforceable emission reduction measures (AQAG, Section 5.2). In addition to the lower threshold for the Ojai Planning Area being used, it is recommend to quantify the construction emissions presented in Table 3 (peak day for the Parker Site) using recommended mitigation of Tier 4 equipment to quantify the “mitigation” and also present in the table. While the replacement of Tier 2 equipment with Tier 3 may reduce NO_x emissions by 39% (MND, Page 35), it is expected replacing with Tier 4 can have an emission reduction of 85%, which may bring emissions down closer to the 5 lbs./day NO_x. Off-road diesel construction equipment emit diesel particulate matter, which is a toxic air contaminant and accounts for 70% of the cancer risk from mobile sources to sensitive receptors such as residential neighborhoods, parks, and school nearby (such as Nordoff High School) (CARB 2012 Study,

OEHHA 2015). Although the construction projects are short term, it may still generate a toxic exposure to infants and children in the 0–2-year range, in which they have higher breathing rates and are in a crucial developmental stage.

Thank you for the opportunity to comment on the project MND. If you have any questions, you may contact me at nicole@vcapcd.org.

Commenter: Nicole Collazo, Ventura County Air Pollution Control District

Date: February 1, 2023

Response:

1. The proposed electric vehicle charging station would be reserved for District vehicles. Therefore, the referenced incentive programs would not apply.
2. The IS/MND text has been revised to acknowledge the approval of the 2022 AQMP on December 13, 2022.
3. The MND text has been revised to include the last emissions reduction measure provided in the IS:

Off-road construction equipment shall utilize engines certified to the Federal Emissions Standard Category of Tier 3 or Tier 4, if available. Based on Federal exhaust emission standards, using Tier 3 certified engines instead of Tier 2 certified engines would reduce NO_x and non-methane hydrocarbon emissions by 39 percent.

As noted in the above measure, off-road construction equipment with Tier 4 certified engines would be used if available.

4. Street sweepers used to remove visible soil on public roadways attributable to the proposed project would comply with APCD Rule 55.2.
5. The IS/MND text has been revised to acknowledge the non-construction emissions significance threshold for the Ojai Planning Area is five pounds per day NO_x and ROC. As noted in this comment, these thresholds do not apply to construction emissions. See the response to Comment 3 regarding the use of off-road construction equipment with Tier 4 engines.



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 (858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



February 3, 2023

Mr. Bert Rapp
 Ventura River Water District
 409 Old Baldwin Road
 Ojai, CA 93023
Bert@VenturaRiverWD.com

Subject: 2023 Water Project, Mitigated Negative Declaration, SCH No. 2022120660; City of Ojai, Ventura County

Dear Mr. Rapp:

The California Department of Fish and Wildlife (CDFW) has reviewed the Ventura River Water District's (District) Mitigated Negative Declaration (MND) for 2023 Water Projects (Project). The District, as Lead Agency, prepared a MND pursuant to the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et. seq.) with the purpose of informing decision-makers and the public regarding potential environmental effects related to the Project. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife or be subject to Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust for the people of the state [Fish & Game Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, [§ 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). CDFW is also directed to provide biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

1.

CDFW is also submitting comments as a Responsible Agency under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 et seq.). To the extent implementation of the Project as proposed may result in "take" of any species protected under the California Endangered Species Act (CESA; Fish & Game Code, § 2050 et seq.), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & Game Code, §1900 et seq.), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

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Project Description and Summary

Objective: Under the proposed Project the Ventura River Water District (District) will annex the Tico service area. Tico is currently served by the Casitas Municipal Water District (CMWD). Infrastructure to connect the merging areas will be installed. Improvements to the existing infrastructure and facilities will be included within the Project. Tico will no longer serve domestic water once connected to the District's system. Groundwater used by the Tico water system will be used as an irrigation system and will no longer provide domestic water. The District will provide fire protection and domestic water to the Tico area. Tico will continue to serve irrigation water to their existing Shareholders and to interested District customers. The amount of groundwater and CMWD water pumped, stored, chlorinated, and delivered to District customers would not change. No increased use of Lake Casitas water will be used. Additional water from the District to the Tico shareholders would amount to about 0.5% increase above the District's current usage. The District submitted an application to modify their service area to the Ventura Local Agency Formation Commission, the application is pending.

Water Main Improvements

Tico Service Area

Annexation of the Tico Service Area to the Ventura River Water District. Project plans include three sections of new water main pipeline to connect the two water districts in three areas. Approximately 725 linear feet of pipeline will be placed in various Project areas around the City of Ojai. The polyvinyl chloride (PVC) pipes will be placed through bore and jacking. Additional improvements include approximately 40 water meters and the addition of five fire hydrants. These elements will be placed in residential areas and follow the paths of already established roads.

1. *Emergency Turn-out at Ojai Terrace*

Installation of ~1,300 linear feet of PVC pipe will be placed between Taomina Lane and Vallerio Avenue, within a residential community. This pipe will interconnect the Casitas Municipal Water District's water main to the District's water main. A new vault will also be included at the interconnection. It is unclear what methods will be used to place this Project element.

Ojai Terrace Pipe Replacements

Installation of 1,300 linear feet of PVC pipe along two locations. A portion will be placed behind a shopping center in the loading areas near the southwest corner of the SR33 and SR 150 intersection. It appears that coast live oak (*Quercus agrifolia*) are present on the southeast corner of the shopping center, however no maps with plant communities were included as part of the MND. Piping will also be placed within the public right-of-way along Vallerio Avenue.

In-Fill Pipe along SR 33/150

Approximately 80 linear feet of new PVC water main within a steel pipe casing. The piping will be bored and jacked under the SR 150 at two locations over 1,000 feet apart. An additional 1,020 linear feet of PVC water main would be buried under the Ojai Valley Trail. Two coast live oak trees will be removed at this site. It is unclear if any additional impacts will occur to the driplines (see comment #3) of other coast live oaks that surround the site. No maps that display the disturbance area of distribution of the plant communities around the site were provided as part of the MND.

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Loma Drive Water Main

Approximately 1,000 linear feet of PVC pipe would be installed within the Loma Drive right-of-way. Coast live oaks are scattered along Loma Drive, it is unclear if impacts to their driplines will occur during the installation of the pipelines.

Re-Plumb Encino and Thomas Pressure Reducing Valve Vaults

Replacement of welded steel pipes within two existing pressure reducing vaults. The existing pipes will be replaced with flanged pipes and fittings. This element will occur on two different sites along Thomas Street (34.400280, -119.292622) and Encino Drive (34.404333, -119.288689). Coast live oaks are scattered around the Encino Drive site.

Santa Ana Water Main

This portion of the project would be located within a private easement. A portion of the existing water main would be relocated to the public right-of-way along Santa Ana Boulevard and Santa Road. Approximately 2,450 linear feet to be installed.

Baldwin and Parker Sites

Baldwin Site

The Baldwin site borders the Ventura River and will include several elements which will include ground disturbance (grading, and excavation). The existing pumps and motors would be replaced within the existing pump station. The current electrical panels and chlorination station would also be moved above the 100-year flood plain. The existing North Baldwin tank and foundation would be demolished and replaced. The new chlorination facility would include a concrete pad, pumps, piping, and a new 3,000-gallon chemical tank. A temporary chlorination station would be provided while the tank is constructed. The primary switch gear cabinets would be replaced near the same location. A new concrete pad may be necessary. A solar panel system will be placed on both sides of the access road north of the Baldwin Tanks. Ground disturbance will be necessary when installing a level pad. A standby generator sound wall would be provided; however, it will likely not reduce noise impacts to the areas towards the

1. Ventura River and only serves the surrounding residential communities.

Bank protection and drainage improvements are also proposed as part of the Project. The final design has not been provided within the MND and would be refined based in geotechnical recommendations. Bank protection would likely involve burying existing on-site granite boulders (5-15 ton size) in a trench ~5 feet deep which will be back-filled with cement-sand slurry. Concrete foundation would be placed over the boulders and backfill. A reinforced concrete masonry unit wall would be installed on the concrete foundation. At the percolation site existing metal culverts would be replaced with PVC pipes. An outlet weir would also be installed, although it is unclear where it will be placed. Excavation and grading would occur as a result of the Project on and or near the bank of the Ventura River, a documented steelhead stream.

Parker Site

Proposed activities at the Parker site include several elements which will include ground disturbance, grading and vegetation removal. A new 700,000 gallon above ground steel water tank would be constructed southwest of the existing tank. Groundwork for the tank is anticipated to be ~0.5 acres, the tank will be fenced. Three booster pumps are proposed to be replaced with variable frequency drivers. An additional new pump station would also be installed on a concrete pad adjacent to the existing pump station. A solar panel system will also be installed

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as part of the Project. Ground disturbance will occur during construction of a level pad for the panels. Eight coast live oaks are proposed to be removed at this site, it is unclear if additional coast live oaks will be impacted by their drip lines due to Project activities. A map depicting which trees are anticipated to be removed or the disturbance area in relation to the drip lines of surrounding coast live oaks were not provided.

1. **Location:** The Project includes 12 work locations within Ventura County, near or within the city of Ojai. Surrounding land uses include residential, mixed-use, and open space.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the District in adequately identifying, avoiding, and/or mitigating significant, or potentially significant, direct and indirect impacts on fish and wildlife biological resources based on the planned activities of this proposed Project.

Specific Comments

Comment #1: Insufficient Biological Analysis and Mitigation Measures for Biological Resources

Issue: The MND lacked the detail necessary to adequately disclose and assess potential impacts. Potential impacts could occur to special status wildlife species and their habitats, rare plants, sensitive natural communities, and streams.

Specific Impact: Project activities including staging, excavation, and grading will occur in multiple Project areas. Project activities could lead to injury or direct mortality of special status wildlife and plant species and diminishing of water quality in streams. The Project could continue to cause significant environmental impacts absent of proper avoidance, minimization, and mitigation measures.

2. **Why Impact Would Occur:** Jack and bore installation methods, grading, excavation, demolition, and construction will occur as part of the Project. Project actions vary at the various Project sites. These activities could lead to injury and direct mortality of special status plant and animal species. The biological assessment included within the MND was vague and did not offer the level of detail needed to assess potential impacts to special status wildlife, plants, and plant communities. Details regarding survey methodologies, survey paths, timing, and length were not provided. A lack of protocol surveys could likely lead to impacts to a variety of sensitive plant and wildlife species. Further, the MND did not offer any maps depicting the distribution of natural communities or rare plants for any of the project sites in relation to disturbance zones. Excavation and grading will also occur on and near the banks of the Ventura River, a documented steelhead stream. The MND did not adequately analyze potential impacts due to these activities to streams, such as the Ventura River. The document did not provide sufficient justification to omit mitigation measures for the above biological resources.

Evidence Impact Would Be Significant: Adequate disclosure and analysis of potential impacts is necessary so CDFW may provide comments on the appropriateness of proposed

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avoidance, minimization, or mitigation measures, as well as to assess the significance of the specific impact relative to the species.

Recommended potentially feasible mitigation measure(s):

Mitigation Measure #1: CDFW recommends providing a complete assessment and analysis of potential impacts to the flora and fauna within and adjacent to the Project areas, with emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends avoiding any sensitive natural communities found on or adjacent to the Project.

Mitigation Measure #2: The MND should include floristic, alliance- and/or association-based mapping and vegetation impact assessments be conducted at the Project site and within the project footprint and fuel modification area. Vegetation surveys should be conducted following systematic field techniques outlined by [CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities](#) (CDFW 2018a). [The Manual of California Vegetation](#) (MCV), should also be used to inform this mapping (CNPS 2023). The MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system. Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts off-site. Habitat mapping at the alliance level will help establish baseline vegetation conditions. CDFW recommends the environmental document provide measures to fully mitigate the loss of individual Endangered Species Act (ESA)- and CESA-listed plants and habitat.

2. 1. The MND should provide a detailed map (1:24,000 or larger) showing which plants or populations will be impacted and provide a table that clearly documents the number of plants and acres of supporting habitat impacted, and plant composition (e.g., density, cover, abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, abundance of each species). Any identified rare plants should also be plotted within the map.
2. The MND should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5) location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques. Additionally, considerations should be made regarding timing of these field surveys to ensure accuracy in determining what plants exist on site. Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to special status plants or natural communities and will guide the development of minimization and mitigation measures (CDFW 2018a).

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Mitigation Measure #3: CDFW recommends focused species-specific surveys for species with a possibility of occurrence at each Project site based on literature and CNDDDB review. (See comment #4). Surveys should be conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. See CDFW's [Surveying and Monitoring Protocols and Guidelines](#) (CDFWb 2023) for established survey protocol for select species. Seasonal variations in use of the Project area should also be addressed.

2.

Mitigation Measure #4: The MND should further assess potential adverse impacts to biological resources from Project activities as well as lighting, noise, and increased human activity. Mitigation measures should be provided to reduce these impacts. If these impacts are determined to be less than significant, they should be backed by sound scientific justification.

Mitigation Measure #5: The MND should better address Project-related changes on drainage patterns and downstream of Project sites near streams; the volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams; and, post-Project fate of runoff from the Project site. Mitigation measure should be provided to reduce impact to streams (See comment #2).

Comment #2: Lake and Streambed Alteration Agreement (LSAA)

Issue: Potential impacts could occur to streams including but not limited to the Ventura River, a documented steelhead stream. Impacts to all streams, drainages, and riparian communities present within or in close proximity to Project sites should be assessed and mitigated for.

Specific Impact: Project activities may impact the Ventura River due to the implementation of grading and excavation as part of the proposed erosion control and drainage improvements. The activities could impact the bed, banks, and lower water quality in the Ventura River.

3.

Why Impact Would Occur: Excavation, backfilling, and construction of a mason concrete wall is proposed along the bank of the Ventura River. Use of heavy equipment such as excavators, cranes and concrete trucks will be used. Excavation and regrading will also occur in the percolation area just behind the proposed erosion control site. The Project may introduce debris, soil, silt, sawdust, rubbish, raw cement/concrete, or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous or deleterious to aquatic life and the surrounding riparian habitat. The Ventura River is inhabited by several special status species including ESA- listed and CESA- candidate steelhead (*Oncorhynchus mykiss*), ESA- listed and SSC California red-legged frog (*Rana draytonii*), SSC arroyo chub (*Gila orcuttii*), and SSC western pond turtle (*Emys marmorata*). Entry of these materials into the water system could result in degradation of on-site and downstream water quality in the Ventura River. The MND did not offer any mitigation to help reduce impacts to streams such as Best Management Practices (BMP) for construction site planning and management, erosion control runoff control, sediment control, or material management. Excavation and stockpiling of soils may result in the influx of sediment into the system which could result in changes to the streams and alter hydrologic and geomorphic processes that may impact plant and wildlife species. Absent of these BMPs it is unclear how the Project will avoid sediment and pollutants from entering or minimize impact to the bed, bank, and channel of the Ventura River or any other stream that may be impacted.

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Evidence Impact Would Be Significant: The Project may impact streams and associated riparian habitats. CDFW exercises its regulatory authority (Fish and Game Code, section 1600 *et seq.*) to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated natural communities. Fish and Game Code, section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- Divert or obstruct the natural flow of any river, stream, or lake;
- Change the bed, channel, or bank of any river, stream, or lake;
- Use material from any river, stream, or lake; or,
- Deposit or dispose of material into any river, stream, or lake.

CDFW requires a Lake and Streambed Alteration Agreement (LSA) Agreement when a project activity may substantially adversely affect fish and wildlife resources.

For reasons discussed above, the Project may continue to have a substantial adverse effect on streams and associated riparian habitat through excavation, grading, hydrological interruption, or other means.

Recommended potentially feasible mitigation measure(s):

3. **Mitigation Measure #1:** The Project Applicant (or "entity") should provide written notification to CDFW pursuant to section 1600 *et seq.* of the Fish and Game Code. Based on this notification and other information, CDFW shall determine whether a Lake and Streambed Alteration (LSA) Agreement is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing CDFW's web site at <https://www.wildlife.ca.gov/conservation/lsa> (CDFW 2023c).

If necessary, CDFW's issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. To minimize additional requirements by CDFW pursuant to section 1600 *et seq.* and/or under CEQA, the CEQA document should fully identify the potential impacts to streams or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.

Mitigation Measure #2: Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project such as additional erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on-site or off-site creation, enhancement, or restoration, and/or protection and management of mitigation lands in perpetuity.

Mitigation Measure #3: A weed management plan should be developed for all Project areas and implemented both during, and for at least 3 years post-Project. Non-native weeds including noxious weeds (as listed by the [California Invasive Plant Council](#)) (CALIPC 2022) should be prevented from becoming established to control the local spread of invasive plants, both during and after construction. Site visits should be conducted monthly and weekly during the rainy

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season. The Project area should be monitored via mapping for new introductions and expansions of non-native weeds. Annual threshold limits, eradication targets, and monitoring should be included in this plan. Monitoring for spread of invasive weeds to adjacent lands should also be included.

3.

Recommendation #1: The LSA should be conditioned to avoid impacts to special status aquatic species. No work should occur on the stream banks adjacent to the Ventura River during the winter rainy season, typically between December 1 through March 31 (NMFS 2011).

Comment #3: Impacts to Coast Live Oak Woodland and individual Coast Live Oaks

Issue: CDFW is concerned that the Project may impact surrounding Coast Live Oak Woodland, a locally important sensitive natural community.

Specific Impact: Impacts could occur during excavation, grading, and staging in areas where coast live oak woodland and individual coast live oak trees are present.

Why Impact Would Occur: Within the MND it states, "...approximately 10 oak trees would require removal, including eight for the second Parker tank and up to two trees for the infill pipe east of Nova Lane." Although the Project will remove these locally important plants and communities the document did not offer any measures to mitigate for individual plants and sensitive plant communities. Within the MND it also states, "As a water project, the proposed Project is exempt from local building and zoning ordinances under Section 53091 of the California Government Code. Therefore, the Project is exempt from the Ventura County Tree Protection Ordinance, which protects oak trees greater than 9.5 inches in girth." Although the Project may be exempt from local tree protection ordinances the Project is not exempt from State laws and Fish and Game code. Coast live oak and coast live oak woodland is considered locally important and should be avoided by Project activities. If avoidance is not possible, coast live oak woodland and individual coast live oaks should be mitigated for to achieve a no net-loss of habitat/individuals. It is also unclear if the Project will indirectly impact additional coast live woodland or individual coast live oaks by damaging their driplines (outmost circumference of a trees canopy where roots may be present). No maps detailing the location of the coast live oak woodland or individual coast live oaks anticipated to be impacted were provided. Maps that depict planned disturbance areas were also not provided. Without this information CDFW is not able to adequately assess environmental impacts or the adequacy of proposed avoidance, minimization, or mitigation measures.

4.

Evidence Impact Would Be Significant: Due to the historic and on-going loss of this ecologically important vegetation community, oak trees and woodlands are not only protected by local ordinances but State ordinances as well. CDFW considers oak woodlands a sensitive vegetation community. Oak woodlands have higher levels of biodiversity than any other terrestrial ecosystem in California. Oak trees provide nesting and perching habitat for approximately 170 species of birds (Griffin and Muick 1990). Coast live oak and old-growth oak trees (native oak tree that is greater than 15 inches in diameter) are of importance due to increased biological values and increased temporal loss. Over 330 species of birds, mammals, reptiles, and amphibians depend on oak woodlands in California at some stage in their life cycle (CalPIF 2002). Large oak trees in oak woodland habitats are important for cover, nesting sites for cup nesting species and cavity nesting species, as well as caching sites for birds storing

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acorns (CalPIF 2002). Oak woodlands also serve several important ecological functions important within an ecosystem such as protecting soils from erosion and land sliding, regulating water flow in watersheds, and maintaining water quality in streams and rivers.

Impacts to sensitive natural communities should be considered significant under CEQA unless they are clearly mitigated below a level of significance. CDFW considers oak woodlands to be a sensitive plant community. Oak trees and woodlands are protected by the Oak Woodlands Conservation Act (pursuant under Fish and Game Code sections 1360-1372) and Public Resources Code section 21083.4 due to the historic and ongoing loss of these resources. Moreover, [CDFW's Areas of Conservation Emphasis – Significant Habitats](#) dataset includes oak woodlands as a Terrestrial Significant Habitat based on its priority for conservation and acquisition planning for some counties, local jurisdictions, and the Wildlife Conservation Board (CDFW 2019d).

Recommended potentially feasible mitigation measure(s):

Mitigation Measure #1: CDFW recommends avoiding impacts to natural vegetation communities or individual coast live oaks. Possible reconfiguration of Project elements or disturbance areas could lessen impacts to individual coast live oak and coast live oak communities.

4.

Mitigation Measure #2: Tree protection signs should be erected around all tree groups with canopies that fall within 20 feet of construction activities. Fencing or flagging should be placed along the dripline and an additional 5 feet (protected tree zone) in areas of potential impact. For any trees that would be encroached upon by construction activities, fencing shall be placed as far away from trunk of the tree as possible while still allowing the required construction activities to proceed.

Mitigation Measure #3: A pre-construction tree protection training should be delivered between the contractors and arborist. The arborist will instruct the contractors on tree protection practices. All equipment operators and spotters, assistants, or those directing operators from the ground, shall provide written acknowledgement of their receiving training. This training should include information on the location and marking of protected trees, the necessity of preventing damage, and the discussion of work practices.

Mitigation Measure #4: The District should work with an arborist to conduct an Arborist study to compose a tree monitoring plan. The Arborist Study should be conducted within portions of the project footprint occurring within 20 feet of the canopy drip line of protected trees. The study should plot the location of protected trees within this zone and identify each protected tree and any trees to be impacted. Monitoring should occur during Project activities and following the Project. Monitoring should be conducted on a monthly basis. The Arborist Report should be prepared by a Certified Arborist in compliance with the County of Ventura ordinance guidelines. The Arborist Report should include the following at minimum:

- An inventory of all trees containing a canopy drip line within 20 feet of the project footprint. Inventory data should record, at minimum: diameter at breast height (DBH), height, canopy cover information/mapping, health and vigor rating.
- Photographs of each regulated tree which may be encroached upon by the Project.

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- Description of proposed site development activities including, but not limited to, excavation, any tree trimming, and construction access routes.
- A project-specific Tree Protection Plan should be prepared which would include site plans, protective tree fencing, the designated tree protection zone (identifying an area sufficiently large enough to protect the tree and its roots from disturbance), activities prohibited/permitted within the tree protective zone, encroachment boundaries, and potential transplanting or replacement tree plantings.

Mitigation Measure #5: Coast live oak woodland should be replaced at a ratio to offset the loss by no less than 5:1 of the total acreage of woodland lost. The District should restore functioning and self-sustaining woodlands of similar composition, structure, and function to woodlands impacted. Mitigation should include restoration of structurally diverse understory vegetation species (i.e., grass, forb, shrub, subshrub, vine) occurring in the impacted natural communities. Acorns and/or seedlings should originate from plants/trees of the same species (i.e., genus, species, subspecies, and variety) as the species impacted.

Mitigation Measure #6: Replacement for individual trees with a diameter at breast height (DBH) between 12-24 inches should be mitigated for at a ratio of 5:1. Trees with a DBH greater than 24 inches should be mitigated at a 10:1 ratio.

Mitigation Measure #7: Prior to removing any oak or the understory vegetation, the District should prepare a Woodland Restoration Plan. The Woodland Restoration Plan should prescribe the following:

4.

- 1) Species-specific planting methods;
- 2) Planting schedule;
- 3) Measures to control exotic vegetation and protection from herbivory;
- 4) Measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Measurable success criteria should be based on site/habitat conditions prior to impact and/or functional local native oak shrublands/woodlands as reference sites;
- 5) Contingency measures if the success criteria is not met;
- 6) Long-term monitoring for at least 10 years, with a minimum of seven years without supplemental irrigation;
- 7) Adaptive management techniques, including replacement plants if necessary; and
- 8) Annual reporting criteria and requirements.

Mitigation Measure #8: For off-site mitigation, the District should protect mitigation lands in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate non-wasting endowment should be provided for the long-term management of mitigation lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed prior to any ground-disturbing activities and vegetation removal.

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Comment #4: Impacts to Special Status Wildlife Species

Issue: CDFW is concerned that the Project may impact surrounding special status wildlife and bird species.

Specific Impact: Project activities include excavation, vegetation removal, and use of heavy equipment and vehicles. Likewise, the Project could indirectly impact species through increased noise, vibration, and lighting. Impacts may disrupt or alter species behavior in the area.

Why Impact Would Occur: The Project would require ground disturbance, excavation, and vegetation removal, using heavy equipment. The MND did not offer any avoidance, minimization, or mitigation measures to reduce potential impacts to special status wildlife and bird species. A review of (Biogeographic Information and Observation System (BIOS) revealed that Species of Special Concern (SSC) Dulzera pocket mouse (*Perognathus californicus femoralis*) observations have been documented near the Nova Lane site. The Project has the potential to directly impact several rare, threatened, and/or endangered species through direct mortality (trampling, crushing, or burial) due to construction activities. The Project as proposed will remove 10 coast live oak trees and did not offer nesting bird surveys as a mitigation measure. Take of any bird species listed under the Migratory Bird Treaty Act (MBTA) without authorization by the U.S. Fish and Wildlife Service (USFWS) would constitute a violation (USFWS 2004). Vegetation removal could result in the loss of occupied habitat and yield a loss of foraging potential, nesting sites, roosting sites, or refugia. Loss of occupied habitat would constitute a significant impact absent appropriate mitigation. Focus and/or preconstruction surveys conducted by a qualified biologist were not offered to avoid injury or direct mortality of special status wildlife and bird species. A lack of protocol surveys will likely lead to impacts to a variety of sensitive species. Protocol surveys are necessary to identify listed species and supporting habitat necessary for their survival. Protocol surveys facilitate CDFW's ability to provide appropriate avoidance, minimization, and mitigation measures. Further, the MND did not provide any mitigation measures to reduce levels of noise, dust, light, or ground vibrations to less than significant for special status species in the surrounding area.

5.

Evidence Impact Would Be Significant: Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). CEQA provides protection not only for State and federally listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of SSC could require a mandatory finding of significance by the County (CEQA Guidelines, § 15065). CDFW considers impacts to CESA-listed and SSC a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures.

Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA). of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the MBTA). Pursuant to FGC Sections 3503 and 3503.5, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey.

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Recommended potentially feasible mitigation measure(s) for Wildlife Species:

Mitigation Measure #1: The District should retain a qualified biologist(s) with experience surveying for special status species. The qualified biologist(s) should conduct species-specific and season appropriate surveys where suitable habitat occurs in the Project site. Positive detections of SSC and suitable habitat at the detection location should be mapped. These locations would help to develop more species specific and location-specific mitigation measures. If SSC are detected, the qualified biologist should use visible flagging to mark the location where SSC was detected.

Mitigation Measure #2: The District should retain a qualified biologist with appropriate handling permits, or should obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). Please visit CDFW's [Scientific Collection Permits](#) webpage for information (CDFW 2022e). Pursuant to the California Code of Regulations, title 14, section 650, the qualified biologist must obtain or have appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. An LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement.

5.

Mitigation Measure #3: To avoid direct injury and mortality of SSC, the District should have a qualified biologist on site to move out of harm's way wildlife of low mobility that would be injured or killed. Wildlife should be protected, allowed to move away on its own (noninvasive, passive relocation), or relocated to suitable habitat adjacent to the Project site. In areas where an SSC is found, work may only occur in these areas after a qualified biologist has determined it is safe to do so. Even so, the qualified biologist should advise workers to proceed with caution. A qualified biologist should be on site daily during initial ground and habitat disturbing activities as well as vegetation removal. Then, the qualified biologist should be on site weekly or bi-weekly (once every two weeks) for the remainder of the Project phase until the cessation of all ground and habitat disturbing activities, as well as vegetation removal, to ensure that no wildlife is harmed.

Mitigation Measure #4: If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area should stop immediately, the qualified biologist should be notified, and dead or injured wildlife documented immediately. A formal report should be sent to CDFW within three calendar days of the incident or finding. The report should include the date, time of the finding or incident (if known), and location of the carcass or injured animal and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

Mitigation Measure #5: Noise produced by the Project should be monitored during construction to ensure noise generated from the Project does not affect wildlife within the Ventura River or in

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other Project areas. The MND should set acceptable noise thresholds that are part of a daily monitoring and reporting program to ensure appropriate thresholds are maintained for wildlife. Sounds generated from any means should be below the 55-60 dB range within 50 feet from the source. CDFW recommends use of noise suppression devices such as mufflers or enclosure for applicable equipment. Stationary noise sources (e.g., generators, pumps) at staging areas should be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Unnecessary construction vehicle use, and idling time should be minimized to the extent feasible, such that if a vehicle is not required for use immediately or continuously for safe construction activities, its engine should be shut off. CDFW recommends the Project restrict use of equipment and lighting to hours least likely to disrupt wildlife (e.g., not at dusk or in early morning before 9 am). If nighttime activities are necessary lighting should be shielded and not spill over into adjacent riparian or wooded areas.

Recommendation #1: The sound wall used to shield sound from generators at the Baldwin site should be reconfigured to also block sound directed towards the Ventura River. The design should maintain avoidance with the surrounding coast live oak trees.

5. **Recommendation #2:** All open trenches shall be covered at the conclusion of each workday to prevent the trapping of wildlife species.

The following mitigation measures are suggested by CDFW for impacts to nesting passerine birds and raptors:

Mitigation Measure #1: CDFW recommends that no construction should occur from January 1 through September 15 to avoid impacts to passerine birds and raptors. If construction is unavoidable during January 1 through September 15, surveys should be conducted for nesting bird activity within 7 days prior to Project activities. Surveys should be conducted by a qualified biologist to determine presence of active bird nests of special status bird species. Surveys should occur in the construction zone and within 500 feet of the site.

Mitigation Measure #2: If any nests of passerine birds or raptors are observed, these nests should be designated an ecologically sensitive area and protected (while occupied) by a minimum 300-foot radius for passerine and 500-foot radius for raptors during project construction. If active nests are found, all construction must be postponed or halted until the biologist determined the nest is vacated, juveniles have fledged, and no evidence of a second nesting attempt is observed. The biologist should serve as a construction monitor during periods of construction occur near the active nest areas to ensure that no inadvertent impacts occur.

Comment #5: Spreading Invasive Pests and Diseases

Issue: CDFW is concerned that the MND does not describe procedures for disposal of removed trees which may be infested with invasive pests and disease.

6. **Specific impacts:** The Project proposes to remove ten coast live oaks. Improper disposal of vegetation may result in the spread of tree insect pests and disease into areas not currently exposed to these stressors. This could result in expediting the loss of oaks and other trees in California which support a high biological diversity including special status species. The environmental document should address the presence or absence of goldspotted oak borer (*Agrilus auroguttatus*), Polyphagous shot-hole borer (*Euwallacea* sp.), and thousand canker

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fungus (*Geosmithia morbida*) in on-site trees and, if present, describe how any effected trees would be disposed of as part of the Project.

Why impacts would occur: Trees will be removed and presumably hauled to off-site locations for disposal thereby potentially exposing off-site oak and other tree species to infestation and disease.

Evidence impact would be significant: The Project may have a substantial adverse effect on any sensitive natural communities identified in local or regional plans, policies, and regulations or by the CDFW or USFWS. The Project may result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS that are dependent on habitats susceptible to insect and disease pathogens.

6. **Mitigation Measure #1:** CDFW recommends the District work with the certified arborist to identify all trees and species for removal from the Project site and inspect those trees for contagious tree diseases including but not limited to: [thousand canker fungus](#) (TCD 2021), [polyphagous shot hole borer](#) (UCANR 2018), and [goldspotted oak borer](#) (UCIPM 2021). A summary report documenting inspection methods, number and species of trees inspected, results, and conclusions, including negative findings, should be submitted to the Ventura County Planning Division for review and included as an appendix in final environmental documents. The summary report should also include photographic documentation of entry/exit holes and evidence of pests/disease.

Mitigation Measure #2: If invasive pests and/or diseases are detected, the District should provide an infectious tree disease management plan and describe how it will be implemented to avoid significant impacts under CEQA. To avoid the spread of infectious tree diseases, diseased trees should not be transported from the Project site without first being treated using best available management practices relevant for each tree disease observed. A management plan should be submitted to CDFW for review and included as an appendix in the final environmental document.

Additional Recommendations

7. **Fuel Modification.** If the Project includes fuel modification, CDFW recommends that the final environmental include avoidance and mitigation measures for any fuel modification activities conducted within and adjacent to the Project area. A weed management plan should be developed for all areas adjacent to open space that will be subject to fuel modification disturbance. CDFW also recommends that any irrigation proposed in fuel modification zones do not allow for the introduction of invasive Argentine ants. Monitoring should also include parameters to identify possible introduction of Argentine ants.

8. **Mitigation and Monitoring Reporting Plan.** Per Public Resources Code section 21081.6(a)(1), CDFW has provided the District with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan. A final MMRP should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

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Filing Fees

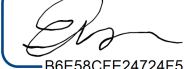
9. The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying Project approval to be operative, vested, and final (Cal. Code Regs., tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

Conclusion

10. We appreciate the opportunity to comment on the Project to assist the District in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the District has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Angela Castanon, Environmental Scientist, at Angela.Castanon@wildlife.ca.gov or (626) 513-6308.

Sincerely,

DocuSigned by:



B6E58CFE24724F5...
Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW

Steve Gibson, Seal Beach – Steve.Gibson@wildlife.ca.gov

Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov

CEQA Program Coordinator – Sacramento – CEQACommentLetters@wildlife.ca.gov

OPR

State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov

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State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 (858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project. A final MMRP should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
MM-BIO-1-Biological Assessment-Assessment of Impacts	CDFW recommends providing a complete assessment and fully analyze potential impacts to the flora and fauna within and adjacent to the Project areas, with emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends avoiding any sensitive natural communities found on or adjacent to the Project.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-2-Biological Assessment-Rare Plant and Sensitive Communities Mapping	The MND shall include floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the Project site and within the project footprint and fuel modification area. Vegetation surveys shall be conducted following systematic field techniques outlined by CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018a). The Manual of California Vegetation (MCV), shall also be used to inform this mapping (CNPS 2023). The MCV alliance/association community names shall be provided as CDFW only tracks rare natural communities using this classification system. Adjoining habitat areas shall be included in this assessment where site activities	Prior to Project activities	Ventura River Water District/Applicant

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	<p>could lead to direct or indirect impacts off-site. Habitat mapping at the alliance level will help establish baseline vegetation conditions. CDFW recommends the environmental document provide measures to fully mitigate the loss of individual Endangered Species Act (ESA)- and CESA-listed plants and habitat.</p> <p>1. The MND shall provide a detailed map (1:24,000 or larger) showing which plants or populations will be impacted and provide a table that clearly documents the number of plants and acres of supporting habitat impacted, and plant composition (e.g., density, cover, abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, abundance of each species). Any identified rare plants shall also be plotted within the map.</p> <p>2. The MND shall provide species-specific measures for on-site mitigation. Each species-specific mitigation plan shall adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5) location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques. Additionally, considerations shall be made regarding timing of these field surveys to ensure accuracy in determining what plants exist on site. Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to</p>		
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	special status plants or natural communities and will guide the development of minimization and mitigation measures (CDFW 2018a).		
MM-BIO-3-Biological Assessment-Wildlife Surveys	CDFW recommends focused species-specific surveys for species with a possibility of occurrence at each Project site (See comment #4). Surveys shall be conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. See CDFW's Surveying and Monitoring Protocols and Guidelines (CDFWb 2023) for established survey protocol for select species. Seasonal variations in use of the Project area shall also be addressed.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-4-Biological Assessment-Impacts to Biological Resources	The MND shall further assess potential adverse impacts to biological resources from Project activities as well as lighting, noise, and increased human activity. Mitigation measures shall be provided to reduce these impacts. If these impacts are determined to be less than significant, they shall be backed by sound scientific justification.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-5-Biological Assessment-Streams	The MND shall better address Project-related changes on drainage patterns and downstream of Project sites near streams; the volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams; and, post-Project fate of runoff from the Project site. Mitigation measure shall be provided to reduce impact to streams (See comment #2).	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-6-LSAA-Notification	The Project Applicant (or "entity") shall provide written notification to CDFW pursuant to section 1600 <i>et seq.</i> of the Fish and Game Code. Based on this notification and other information, CDFW shall determine whether a Lake and Streambed Alteration (LSA) Agreement is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing	Prior to Project activities	Ventura River Water District/Applicant

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	<p>CDFW's web site at https://www.wildlife.ca.gov/conservation/lsa (CDFW 2022a).</p> <p>If necessary, CDFW's issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. To minimize additional requirements by CDFW pursuant to section 1600 <i>et seq.</i> and/or under CEQA, the CEQA document shall fully identify the potential impacts to streams or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.</p>		
MM-BIO-7-LSAA-Additional Measures	<p>Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project such as additional erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on-site or off-site creation, enhancement, or restoration, and/or protection and management of mitigation lands in perpetuity.</p>	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-8-LSAA-Weed Management Plan	<p>A weed management plan shall be developed for all Project areas and implemented both during, and for at least 3 years post-Project. Non-native weeds including noxious weeds (as listed by the California Invasive Plant Council) (CALIPC 2022) shall be prevented from becoming established to control the local spread of invasive plants, both during and after construction. Site visits shall be conducted monthly and weekly during the rainy season. The Project area shall be monitored via mapping for new introductions and expansions of non-native weeds. Annual threshold limits, eradication targets, and monitoring shall be included in this plan. Monitoring for spread of invasive weeds to adjacent lands shall also be included.</p>	Prior to/ During Project activities	Ventura River Water District/Applicant

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MM-BIO-9-Coast Live Oak-Avoidance	CDFW recommends avoiding impacts to natural vegetation communities or individual coast live oaks. Possible reconfiguration of Project elements or disturbance areas could lessen impacts to individual coast live oak and coast live oak communities.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-10-Coast Live Oak-Drip lines	Tree protection signs shall be erected around all tree groups with canopies that fall within 20 feet of construction activities. Fencing or flagging shall be placed along the dripline and an additional 5 feet (protected tree zone) in areas of potential impact. For any trees that would be encroached upon by construction activities, fencing shall be placed as far away from trunk of the tree as possible while still allowing the required construction activities to proceed.	Prior to/ During Project activities	Ventura River Water District/Applicant
MM-BIO-11-Coast Live Oak-Pre-Construction Tree Protection Training	A pre-construction tree protection training shall be delivered between the contractors and arborist. The arborist will instruct the contractors on tree protection practices. All equipment operators and spotters, assistants, or those directing operators from the ground, shall provide written acknowledgement of their receiving training. This training shall include information on the location and marking of protected trees, the necessity of preventing damage, and the discussion of work practices.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-12-Coast Live Oak-Tree Study and Monitoring Plan	<p>The District shall work with an arborist to conduct an Arborist study to compose a tree monitoring plan. The Arborist Study shall be conducted within portions of the project footprint occurring within 20 feet of the canopy drip line of protected trees. The study shall plot the location of protected trees within this zone and identify each protected tree any trees to be impacted. Monitoring shall occur during Project activities and following the Project. Monitoring shall be conducted on a monthly basis. The Arborist Report shall be prepared by a Certified Arborist in compliance with the County of Ventura ordinance guidelines. The Arborist Report shall include the following at minimum:</p> <ul style="list-style-type: none"> An inventory of all trees containing a canopy drip line within 20 feet of the project footprint. Inventory data shall record, 	Prior to Project activities	Ventura River Water District/Applicant

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	<p>at minimum: diameter at breast height (DBH), height, canopy cover information/mapping, health and vigor rating.</p> <ul style="list-style-type: none"> • Photographs of each regulated tree which may be encroached upon by the Project. • Description of proposed site development activities including, but not limited to, excavation, any tree trimming, and construction access routes. • A project-specific Tree Protection Plan shall be prepared which would include site plans, protective tree fencing, the designated tree protection zone (identifying an area sufficiently large enough to protect the tree and its roots from disturbance), activities prohibited/permitted within the tree protective zone, encroachment boundaries, and potential transplanting or replacement tree plantings. 		
MM-BIO-13-Coast Live Oak-Coast Live Oak Woodland Replacement Ratio	Coast live oak woodland shall be replaced at a ratio to offset the loss by no less than 3:1 of the total acreage of woodland lost. The District shall restore functioning and self-sustaining woodlands of similar composition, structure, and function to woodlands impacted. Mitigation shall include restoration of structurally diverse understory vegetation species (i.e., grass, forb, shrub, subshrub, vine) occurring in the impacted natural communities. Acorns and/or seedlings shall originate from plants/trees of the same species (i.e., genus, species, subspecies, and variety) as the species impacted.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-14-Coast Live Oak-Coast Live Oak Replacement Ratio	Replacement for individual trees with a diameter at breast height (DBH) between 12-24 inches shall be mitigated for at a ratio of 5:1. Trees with a DBH greater than 24 inches shall be mitigated at a 10:1 ratio.	Prior to Project activities	Ventura River Water District/Applicant

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MM-BIO-15- Coast Live Oak- Coast Live Oak Woodland Restoration Plan	<p>Prior to removing any oak or the understory vegetation, the District shall prepare a Woodland Restoration Plan. The Woodland Restoration Plan shall prescribe the following:</p> <ol style="list-style-type: none"> 1) Species-specific planting methods; 2) Planting schedule; 3) Measures to control exotic vegetation and protection from herbivory; 4) Measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Measurable success criteria shall be based on site/habitat conditions prior to impact and/or functional local native oak shrublands/woodlands as reference sites; 5) Contingency measures if the success criteria is not met; 6) Long-term monitoring for at least 10 years, with a minimum of seven years without supplemental irrigation; 7) Adaptive management techniques, including replacement plants if necessary; and 8) Annual reporting criteria and requirements. 	<p>Prior to Project activities</p>	<p>Ventura River Water District/Applicant</p>
MM-BIO-16- Coast Live Oak- Mitigation Lands	<p>For off-site mitigation, the District shall protect mitigation lands in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate non-wasting endowment shall be provided for the long-term management of mitigation lands. A conservation easement and endowment funds shall be fully acquired, established, transferred, or otherwise executed prior to any ground-disturbing activities and vegetation removal.</p>	<p>Prior to Project activities</p>	<p>Ventura River Water District/Applicant</p>

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MM-BIO-17- Wildlife Surveys	The District shall retain a qualified biologist(s) with experience surveying for special status species. The qualified biologist(s) shall conduct species-specific and season appropriate surveys where suitable habitat occurs in the Project site. Positive detections of SSC and suitable habitat at the detection location shall be mapped. These locations would help to develop more species specific and location-specific mitigation measures. If SSC are detected, the qualified biologist shall use visible flagging to mark the location where SSC was detected.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-18- SSC- Handling Permits	The District shall retain a qualified biologist with appropriate handling permits, or shall obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). Please visit CDFW's Scientific Collection Permits webpage for information (CDFW 2022c). Pursuant to the California Code of Regulations, title 14, section 650, the qualified biologist must obtain or have appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. An LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-19- SSC- Out of Harm's Way	To avoid direct injury and mortality of SSC, the District shall have a qualified biologist on site to move out of harm's way wildlife of low mobility that would be injured or killed. Wildlife shall be protected, allowed to move away on its own (noninvasive, passive relocation),	During Project activities	Ventura River Water District/Applicant

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	or relocated to suitable habitat adjacent to the Project site. In areas where an SSC is found, work may only occur in these areas after a qualified biologist has determined it is safe to do so. Even so, the qualified biologist shall advise workers to proceed with caution. A qualified biologist shall be on site daily during initial ground and habitat disturbing activities as well as vegetation removal. Then, the qualified biologist shall be on site weekly or bi-weekly (once every two weeks) for the remainder of the Project phase until the cessation of all ground and habitat disturbing activities, as well as vegetation removal, to ensure that no wildlife is harmed.		
MM-BIO-20-SSC-Notification	If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and dead or injured wildlife documented immediately. A formal report shall be sent to CDFW within three calendar days of the incident or finding. The report shall include the date, time of the finding or incident (if known), and location of the carcass or injured animal and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.	During Project activities	Ventura River Water District/Applicant
MM-BIO-21-SSC-Noise and Light	Noise produced by the Project shall be monitored during construction to ensure noise generated from the Project does not affect wildlife within the Ventura River or in other Project areas. The MND shall set acceptable noise thresholds that are part of a daily monitoring and reporting program to ensure appropriate thresholds are maintained for wildlife. Sounds generated from any means shall be below the 55-60 dB range within 50 feet from the source. CDFW recommends use of noise suppression devices such as mufflers or enclosure for applicable equipment. Stationary noise sources (e.g., generators, pumps) at staging areas shall be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Unnecessary construction vehicle use, and idling time shall be minimized to the extent feasible, such that if a	Prior to Project activities	Ventura River Water District/Applicant

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	vehicle is not required for use immediately or continuously for safe construction activities, its engine shall be shut off. CDFW recommends the Project restrict use of equipment and lighting to hours least likely to disrupt wildlife (e.g., not at dusk or in early morning before 9 am). If nighttime activities are necessary lighting shall be shielded and not spill over into adjacent riparian or wooded areas.		
MM-BIO-22- Nesting Bird Surveys	CDFW recommends that no construction shall occur from January 1 through September 15 to avoid impacts to passerine birds and raptors. If construction is unavoidable during January 1 through September 15, surveys shall be conducted for nesting bird activity within 7 days prior to Project activities. Surveys shall be conducted by a qualified biologist to determine presence of active bird nests of special status bird species. Surveys shall occur in the construction zone and within 500 feet of the site.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-23- Nesting Bird Surveys	If any nests of passerine birds or raptors are observed, these nests shall be designated an ecologically sensitive area and protected (while occupied) by a minimum 300-foot radius for passerine and 500-foot radius for raptors during project construction. If active nests are found, all construction must be postponed or halted until the biologist determined the nest is vacated, juveniles have fledged, and no evidence of a second nesting attempt is observed. The biologist shall serve as a construction monitor during periods of construction occur near the active nest areas to ensure that no inadvertent impacts occur.	Prior to Project activities	Ventura River Water District/Applicant
MM-BIO-24- Pest Management	CDFW recommends the District work with the certified arborist to identify all trees and species for removal from the Project site and inspect those trees for contagious tree diseases including but not limited to: thousand canker fungus (TCD 2021), polyphagous shot hole borer (UCANR 2018), and goldspotted oak borer (UCIPM 2021). A summary report documenting inspection methods, number and species of trees inspected, results, and conclusions, including negative findings, shall be submitted to the Ventura County Planning Division for review and included as an appendix	Prior to Project activities	Ventura River Water District/Applicant

Mr. Bert Rapp
 Ventura River Water District
 February 3, 2023
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	in final environmental documents. The summary report shall also include photographic documentation of entry/exit holes and evidence of pests/disease.		
MM-BIO-25- Pest Management	If invasive pests and/or diseases are detected, the District shall provide an infectious tree disease management plan and describe how it will be implemented to avoid significant impacts under CEQA. To avoid the spread of infectious tree diseases, diseased trees shall not be transported from the Project site without first being treated using best available management practices relevant for each tree disease observed. A management plan shall be submitted to CDFW for review and included as an appendix in the final environmental document.	Prior to Project activities	Ventura River Water District/Applicant
REC-1- LSA Conditions	The LSA shall be conditioned to avoid impacts to special status aquatic species. No work shall occur on the stream banks adjacent to the Ventura River during the winter rainy season, typically between December 1 through March 31 (NMFS 2011).	Prior to Project activities	Ventura River Water District/Applicant
REC-2- Nesting Bird Buffers	The sound wall used to shield sound from generators at the Baldwin site shall be reconfigured to also block sound directed towards the Ventura River. The design shall maintain avoidance with the surrounding coast live oak trees.	Prior to Project activities	Ventura River Water District/Applicant
REC-3- Avoidance	All open trenches shall be covered at the conclusion of each work day to prevent the trapping of wildlife species.	During Project activities	Ventura River Water District/Applicant
REC-4- Fuel Modification	If the Project includes fuel modification, CDFW recommends that the final environmental include avoidance and mitigation measures for any fuel modification activities conducted within and adjacent to the Project area. A weed management plan shall be developed for all areas adjacent to open space that will be subject to fuel modification disturbance. CDFW also recommends that any irrigation proposed in fuel modification zones do not allow for the introduction of invasive Argentine ants. Monitoring shall also	Prior to/ During Project activities	Ventura River Water District/Applicant

Mr. Bert Rapp
Ventura River Water District
February 3, 2023
Page 28 of 28

	include parameters to identify possible introduction of Argentine ants.		
REC-5-MMRP	Per Public Resources Code section 21081.6(a)(1), CDFW has provided the District with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan. A final MMRP shall reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.	Prior to Project activities	Ventura River Water District/Applicant

Commenter: Erinn Wilson-Olgin, California Department of Fish and Wildlife

Date: February 3, 2023

Response:

1. This comment provides a summary of CDFW's role, the project objectives, and the project description. Therefore, no response is needed.
2. As noted in Section 3.4.1 of the IS/MND, adequate botanical and wildlife surveys were conducted to fully identify potential impacts to vegetation, and special-status plant and wildlife species. It should be noted that all construction sites are located in previously disturbed areas, except for a patch of coast live oak woodland at the Parker site (see page 37 of the IS). Potentially affected special-status bird species are not rare or declining and do not meet the broad definition of endangered, rare or threatened species provided in Section 15380 of the State CEQA Guidelines. Impacts to streams or the Ventura River would not occur. Therefore, significant impacts to native vegetation, and special-status plant and wildlife species were not identified, and mitigation measures are not required.
3. Proposed construction activities would not encroach onto the banks of the Ventura River or other streams. Therefore, a lake and streambed alteration agreement is not required.
4. On a statewide basis, coast live oak woodland is not imperiled (Nature Serve S4 ranking). On a local basis, thousands of acres of coast live oak woodland and millions of coast live oak trees occur in the Ventura River watershed. Therefore, coast live oaks and coast live oak woodland should not be considered locally important. Note that Figure 6 of the IS/MND shows eight of the 10 coast live oak trees to be removed. As discussed on page 43 of the IS, the project has been designed to minimize loss of coast live oak trees and woodland. Therefore, significant impacts to coast live oak woodland and oak trees were not identified and mitigation measures are not required.
5. See the response to Comment 2 above regarding impacts to special-status wildlife species. Note that the Dulzura pocket mouse is limited to San Diego County and northern Baja California (Mammals of North America). Table 4 of the IS/MND documents the findings of the literature research and no special-status wildlife species have been reported near the project construction sites.
6. Wood produced by trimming or cutting down oak trees to accommodate proposed project components would be used as firewood and removed from the site. Smaller branches would be chipped and spread on-site as a mulch. We understand shot-hole borer was found nearby in Meiners Oaks in 2020. Therefore, a qualified arborist will inspect the trees to be removed for this pest. If found, wood from these trees would remain on-site to prevent infection of other trees.
7. None of the project components involve flammable structures and would not require any additional fuel modification.
8. The suggested mitigation and monitoring plan is based on recommended measures which have not been adopted by the District. Therefore, the current mitigation and monitoring plan has not been revised.

9. The District will pay the appropriate CEQA review fees to the County Clerk when filing the Notice of Determination.
10. The District will provide the date and time of the Board hearing to consider adoption of the Final IS/MND.



VENTURA LOCAL AGENCY FORMATION COMMISSION

801 S. VICTORIA AVENUE, SUITE 301 • VENTURA, CA 93003

TEL (805) 654-2576 • FAX (805) 477-7101

VENTURA.LAFCO.CA.GOV

February 7, 2023

SENT VIA E-MAIL

Bert Rapp, General Manager
Ventura River Water District
409 Old Baldwin Road
Ojai, CA 93023

Subject: Ventura River Water District – 2023 Water Projects – Mitigated Negative Declaration

Dear Mr. Rapp:

Thank you for providing the Ventura Local Agency Formation Commission (LAFCo) with the opportunity to review the Draft Initial Study/Mitigated Negative Declaration (MND) prepared for the subject project, and for providing additional time to prepare these comments. As a responsible agency under the California Environmental Quality Act (CEQA), LAFCo is charged with ensuring that environmental documents prepared by lead agencies address the issues that relate to LAFCo's scope of authority. The Commission has not reviewed the draft Initial Study/MND, and these comments represent the evaluation of LAFCo staff.

LAFCo's purposes are to (1) discourage urban sprawl, (2) preserve open space and prime agricultural land, (3) ensure efficient provision of government services, and (4) encourage the orderly formation and development of local agencies (Government Code § 56301). The Ventura LAFCo has adopted local policies that it must consider when making decisions on reorganization proposals. Specifically, the policies found in Division 3 of the Ventura LAFCo Commissioner's Handbook (available on the Ventura LAFCo website under the "Policies & Laws" tab) apply to the proposed project.

Project Description

According to the Ventura River Water District (District), the project is multi-faceted and would involve 12 distinct sites. In addition to the projects being pursued by the District in support of general system maintenance and improvement are infrastructure improvements necessary to address deficiencies in the existing distribution system that is currently owned and operated by the Tico Mutual Water Company (Tico), to occur in preparation for the District's anticipated annexation of the area that is now served by Tico. The improvements would address issues related to the distribution, supply, and circulation of water used for fire protection purposes, and would connect the two existing water systems through three sections of new water main pipeline: (1) 500 linear feet of 8-inch diameter pipeline between South Rice Road and Don Antonio Way, (2) 100 linear feet of 6-inch diameter pipeline and 125 linear feet of 4-inch diameter pipeline near the intersection of Highway 33 and Barbara Street, and (3) 100 linear feet of 6-inch diameter pipeline near the intersection of Highway 33 and Willey Street. Upon completion of the project, the District's system would include approximately 40 new water meters and five additional fire hydrants. In the Initial Study/MND, the District discussed a variety of issue areas, and identified potentially significant

impacts involving construction-related air quality and archaeological resources. Mitigation measures are proposed in order for those impacts to be reduced to less than significant levels.

LAFCo Law and Ventura LAFCo Policies

LAFCo approval of an annexation to the District is required for the District to serve water outside its jurisdictional boundary, including to the area currently served by Tico.¹ The area to be annexed is located within the District's sphere of influence (defined in Government Code § 56076 as the probable physical boundary and service area of a local agency, as determined by the Commission). No other components of the project appear to be subject to LAFCo approval, as they involve various improvements to water mains, pumping and storage facilities, and flood control/drainage facilities, construction and replacement of water tanks, and installation of solar energy facilities located within the District's jurisdictional area to support its operations.

According to the Initial Study/MND, Tico operates a groundwater well, and serves approximately 11 acre-feet per year (AFY) of groundwater sourced from the Upper Ventura River Groundwater Basin and 6 AFY of surface water from Lake Casitas to its customers located within an existing developed area. Following the LAFCo-approved annexation of this area to the District, Tico would continue to provide non-potable water service to its customers for irrigation purposes only, and the District would absorb service responsibility for domestic and fire protection purposes. District staff anticipates that upon annexation of the Tico service area, the District's demand on surface water from Lake Casitas will increase by 0.7 AFY, but that overall surface water demand will decrease by 5.2 AFY (as groundwater demand would replace much of the surface water demand by existing Tico customers). Based on our understanding of the project, we have not identified any areas of concern with respect to the environmental evaluation provided in the MND/Initial Study.

Thank you again for the opportunity to comment on the Draft Initial Study/MND for the District's 2023 water projects. Please contact me with any questions or comments.

Sincerely,



Andrea Ozdy
Deputy Executive Officer

c: Alma Quezada, Ventura River Water District

¹ VRWD staff clarified that reference in the Initial Study/MND to the property located at 1000 Burnham Road is not for the purposes of an environmental analysis of that property within the MND; however, it is referenced in the document because the District anticipates that an application to LAFCo for annexation to the VRWD of the parcels currently served by the Tico Mutual Water Company would be bundled with a request to annex the parcel at 1000 Burnham Road. Although LAFCo staff and District staff have previously discussed the concept of water service to 1000 Burnham Road, it should be noted that a definitive project description for development of the site has not been provided to LAFCo staff, and annexation of the site to the District has not been reviewed for consistency with LAFCo law and Ventura LAFCo policies. Any necessary environmental evaluation regarding 1000 Burnham Road will be conducted independently.

Commenter: Andrea Ozdy, Ventura Local Agency Formation Commission

Date: February 7, 2023

Response:

The comment letter did not identify any concerns regarding the environmental analysis provided in the IS/MND. Therefore, no response is needed.

State Water Resources Control Board

February 8, 2023

Ventura River Water District
Attention: Bert Rapp
409 Old Baldwin Road
Ojai, CA 93023

VENTURA RIVER WATER DISTRICT (DISTRICT), MITIGATED NEGATIVE
DECLARATION (MND) FOR THE WATER PROJECTS PROJECT (PROJECT); STATE
CLEARINGHOUSE NO. 2022120660

Dear Mr. Bert Rapp:

DOMESTIC WATER SUPPLY PERMIT AMMENDMENT

Thank you for the opportunity to review the MND for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. The Project is within the jurisdiction of DDW Santa Barbara District. DDW Santa Barbara District issues domestic water supply permit amendments to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 CCR chapter 16 et. seq.). A public water system requires a new water supply permit amendment for changes to a water supply source, storage, or treatment and for the operation of new water system components including new distribution tanks equal to or over 100,000 gallons, new wells, and treatment systems. The District will need to apply for a water supply permit amendment for this Project.

FUNDING

We understand that the District is also pursuing Drinking Water State Revolving Fund (DWSRF) financing for this Project. As a state funding agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Board is providing the following information on the MND to be prepared for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the DWSRF Program (Program). The primary purpose for the Program is to implement the Safe Drinking Water Act and various state laws by providing financial assistance for facilities improvements to provide clean potable water, and thereby protect and promote health, safety, and welfare of the inhabitants of the state.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

The Program is partially funded by the United States Environmental Protection Agency (USEPA) and requires compliance with some of the federal environmental laws. Three enclosures are included that illustrate the Program's environmental review process including the additional federal environmental requirements. For the complete environmental application package and instructions please visit:

https://www.waterboards.ca.gov/drinking_water/services/funding/SRFForms.html

The State Water Board is required to consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to the State Water Board's approval of a DWSRF financing commitment for your proposed Project. For further information on the Program, please contact Mrs. Bridget Binning at (916) 449-5641.

It is important to note that prior to a DWSRF financing commitment, projects subject to provisions of the Federal Endangered Species Act (ESA), must obtain ESA, Section 7 clearance from the United States Department of the Interior, Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) specific to any potential effects to special-status species.

Please be advised that the State Water Board will coordinate with the USEPA to consult with the USFWS, and/or the NMFS regarding all federal special-status species that the Project has the potential to affect if the Project is to be financed by the Program. The District will need to identify whether the Project will involve any direct effects from construction activities, or indirect effects such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur in the Project site, in the surrounding areas, or in the service area, and to identify applicable conservation measures to reduce such effects.

In addition, DWSRF projects must comply with federal laws pertaining to historic properties, specifically Section 106 of the National Historic Preservation Act (Section 106). The State Water Board is responsible for ensuring compliance with Section 106 and is required to consult directly with the California State Historic Preservation Officer (SHPO). The SHPO consultation is initiated once sufficient information is provided by the DWSRF applicant. If the District decides to pursue DWSRF financing, please retain a consultant that meets the Secretary of the Interior's Professional Qualifications Standards (<https://www.nps.gov/articles/sec-standards-prof-quals.htm>) to prepare a Section 106 compliance report.

Note, the content requirements of the Section 106 compliance report are more stringent than what is needed for California Environmental Quality Act (CEQA) compliance. The content requirements of the Historic Properties Identification Report, needed to support the SHPO consultation, are detailed on the State Water Board's website at

https://www.waterboards.ca.gov/water_issues/programs/grants_loans/docs/cultural_resources_report_prep.pdf.

Other federal environmental requirements pertinent to the Project under the Program include the following (for a complete list of all federal requirements and instructions please visit:

https://www.waterboards.ca.gov/drinking_water/services/funding/dwsrf_requirements.html

The DWSRF environmental review process regulations, 40 Code of Federal Regulations (CFR) § 35.3580, require some steps that are not part of the normal CEQA process. Some of these are below:

- A. An analysis of environmental alternatives discussing environmental impacts of the Project.
- B. A public hearing or meeting for adoption/certification of all CEQA documents except for those with little or no environmental impacts.

COMMENTS ON THE DRAFT MND:

- 1. The addition of an ~700,000-gallon above ground water storage tank near the existing Parker Tank and the addition of an ~210,000-gallon above ground storage tank, to replace the North Baldwin Tank, would trigger a water supply permit amendment from the State Water Board, DDW. Please add the Domestic Water Supply Permit Amendment from the Division of Drinking Water to the required permits in section 1.6 Project Approvals.
- 2. The MND indicates “The District submitted an application to modify their service area to the Ventura Local Agency Formation Commission. However, the application is on hold pending the adoption of this MND by the District’s Board and submittal of plans and specifications for these water projects to the California Department of Water Resources State Revolving Fund Program,” (PDF page 19). The Department of Water Resources does not administer the State Revolving Fund Programs. If this was meant to read “the State Water Resources Control Board State Revolving Fund Program” please correct this and mention this possible approval for funding under section 1.6 Project Approvals.
- 3. In the Introduction, Section 1.5 Annexation, please add the following, “The District will work with the Division of Drinking Water, State Water Resources Control Board to ensure the protection of public health. A cross-connection test will be performed once the public water systems are disconnected to determine that the Tico Mutual Water Company’s non-potable irrigation system is not connected to the District’s public water system.”

If an application for funding will be submitted, please upload to Financial Assistance Application Submittal Tool the following applicable documents for the proposed Project, according to the District’s CEQA process: (1) one copy of the draft and final MND with the Mitigation Monitoring and Reporting Program (MMRP), (2) the resolution adopting

the MND and MMRP, (3) all comments received during the review period and the District's response to those comments, and (4) the Notice of Determination filed with the Ventura County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

If funding will not be pursued, please forward the above requested documents with your permit amendment application to the State Water Board, DDW Santa Barbara District Office at DWPDIST06@waterboards.ca.gov

Thank you for the opportunity to review the District's draft MND. If you have any questions or concerns, please feel free to contact me at (916) 449-5285, or by email at Lori.Schmitz@waterboards.ca.gov, or contact Mrs. Bridget Binning at (916) 449-5641, or by email at Bridget.Binning@waterboards.ca.gov.

Sincerely,

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Attachments (3):

1. Division of Financial Assistance CEQA Requirements
2. Drinking Water State Revolving Fund Environmental Review Requirements
3. Cultural Resources Report Preparation

cc: State Clearinghouse

Mrs. Bridget Binning, Division of Financial Assistance

Mr. Jeff Densmore, Division of Drinking Water

Mr. Patrick Karinja, Division of Drinking Water

Mr. Jason Cunningham, Division of Drinking Water

STATE WATER RESOURCES CONTROL BOARD,

DIVISION OF FINANCIAL ASSISTANCE

California Environmental Quality Act Requirements

The State Water Resources Control Board (State Water Board) Division of Financial Assistance (DFA) funds wastewater, recycled water, and drinking water infrastructure projects as well as water quality improvement projects using resources from various state grant programs. All applicants seeking grant funds must comply with the California Environmental Quality Act (CEQA) and provide appropriate documents to the State Water Board so that it can fulfill its CEQA responsibilities.

LEAD AGENCY

The applicant is usually the **Lead Agency** and must prepare and circulate an environmental document before approving a project. Only a public agency, such as a local, regional or state government, may be the Lead Agency under CEQA. If a project will be completed by a non-governmental organization, Lead Agency responsibility goes to the first public agency providing discretionary approval for the project. In this situation, the State Water Board may serve as Lead Agency.

RESPONSIBLE AGENCY

Typically, the State Water Board is a **Responsible Agency**. As a Responsible Agency, the State Water Board must make its own findings using information provided by the Lead Agency before funding a project.

STATE WATER BOARD RESPONSIBILITIES

The State Water Board's mission is to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure their proper allocation and efficient use for the benefit of present and future generations. To fulfill this responsibility, and to carry out obligations as a Responsible Agency under CEQA, the State Water Board must consider the Lead Agency's environmental document before funding a project.

ENVIRONMENTAL REVIEW

The State Water Board's environmental review process must be completed before the State Water Board can approve a project for funding and the project can begin construction.

DOCUMENT REVIEW

The State Water Board would like to review CEQA documents as early as possible. Applicants are encouraged to consult with agency staff during development of CEQA documents if considering applying for funding from DFA. Potential applicants should consider sending their environmental documents to DFA, Environmental Section during the CEQA public review period. This way, any environmental concerns the State Water Board has about the project can be addressed early in the process.

REQUIRED DOCUMENTS

The Environmental Section within DFA requires the documents listed below to complete the environmental review:

- 1. Draft and Final Environmental Documents** – Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, Notice of Exemptions, as appropriate for the project;
- 2. All comments** – that were received during the public review period and the Lead Agency's responses to those comments;
- 3. Adopted Mitigation Monitoring and Reporting Plan** – this is separate from, and in addition to, the identification of mitigation measures in the CEQA document;

4. Resolution/Minutes – these document that the applicant adopted or certified the CEQA document, made CEQA findings, and approved the project;

5. Date-stamped copy of the Notice of Determination or Notice of Exemption – these result after filing of the document with the County Clerk and the Governor's Office of Planning and Research; and

6. Completed Environmental Package – this is a component of the Funding Application.

Once the State Water Board receives all the required documents and determines them to be adequate to make its own findings, the environmental review for the funding application will be completed.

CONTACT INFORMATION

For more information about the State Water Board's environmental review process, please visit our website: https://www.waterboards.ca.gov/water_issues/programs/grants_loans/environmental_requirements.html



ENVIRONMENTAL REVIEW REQUIREMENTS

All applicants for SRF financing must thoroughly analyze the environmental consequences of their project. Applicants must comply with the California Environmental Quality Act (CEQA) and federal cross-cutting authorities as part of the SRF environmental review requirements. All SRF environmental requirements must be met prior to the start of construction activities.

CEQA

The environmental review process used to determine compliance with appropriate state and federal environmental regulations begins with successful completion of CEQA.

Typically, the applicant is the CEQA Lead Agency and must prepare and circulate an environmental document before approving a project. Only a public agency, such as a local, regional, or state government may serve as the Lead Agency under CEQA. If a project will be completed by a non-governmental organization, Lead Agency responsibility goes to the first public agency providing discretionary approval for the project. In these instances, the State Water Board may serve as Lead Agency on behalf of the applicant.

Usually, the State Water Board is a CEQA Responsible Agency, making its own independent findings using information submitted by the Lead Agency prior to approving funding for a project.

The applicant must provide the final, project-specific environmental document, associated reports, and other supporting materials demonstrating compliance with CEQA as part of the application's Environmental Package.

FEDERAL CROSS-CUTTING AUTHORITIES

In addition to completing CEQA, the applicant must conduct the necessary studies and analyses and prepare documentation demonstrating that the proposed project is in compliance with the federal cross-cutting environmental authorities. As the USEPA designated, "non-federal" state agency representative responsible for consultation with appropriate federal agencies, the State Water Board staff will review materials for compliance with relevant cross-cutters. Staff may require additional studies or documentation to fulfill this obligation. The principal federal authorities that need addressing in the application are:

- Archaeological & Historic Preservation Act
- Clean Air Act
- Coastal Barriers Resources Act
- Coastal Zone Management Act
- Endangered Species Act
- Environmental Justice Executive Order
- Farmland Protection Policy Act
- Fish & Wildlife Conservation Act
- Flood Plain Management
- Magnuson-Stevens Fishery Conservation & Management Act
- Migratory Bird Treaty Act
- National Historic Preservation Act
- Protection of Wetlands
- Rivers & Harbors Act
- Safe Drinking Water Act, Sole Source Aquifer Protection
- Wild & Scenic Rivers Act

**Material in this brochure
highlights key SRF
environmental requirements**

OUR SRF PROGRAMS

The State Water Resources Control Board (State Water Board) administers the Clean Water and Drinking Water State Revolving Fund (SRF) Programs to support a wide range of infrastructure projects. The SRF Programs represent a powerful partnership between the State and the United States Environmental Protection Agency (USEPA), who provides partial Program funding. The applicant will need to complete the Environmental Package, which compiles and transmits the necessary environmental documents and supporting information for State Water Board staff to review to determine compliance with state and federal environmental laws and regulations. SRF funds are available for planning and design, as well as construction activities.

QUESTIONS

The consultation process can be lengthy, especially if the project is expected to affect biological or cultural resources. Please contact your State Water Board Project Manager and/or Environmental Section staff early in the planning process to discuss what environmental information may be needed for your project.

WEBSITE

https://www.waterboards.ca.gov/water_issues/programs/grants_loans/environmental_requirements.html

October 2018-TAGraphics

CLEAN WATER & DRINKING WATER
STATE REVOLVING FUND

ENVIRONMENTAL REVIEW REQUIREMENTS

STATE OF CALIFORNIA
Water Resources Control Board
Division of Financial Assistance

Clean Air Act (CAA)

CAA requires federally funded projects to meet the General Conformity requirements and applies in areas where National Ambient Air Quality Standards are not met or in areas that are subject to a maintenance plan.

If project emissions are below the federal “de minimis” levels, then a General Conformity determination is not required.

If project emissions are above the federal “de minimis” levels, then a General Conformity determination must be made.

An air quality modeling analysis may be needed regardless of the attainment status for the following constituents:

- Ozone;
- Carbon monoxide;
- Nitrous oxide;
- Sulfur dioxide;
- Lead; and
- Particulate matter (PM2.5 and PM10).

Commonly, applicants use the California Emissions Estimator Model (CalEEMod) to approximate project related emissions. This model can be downloaded from www.caleemod.com. A user’s guide and Frequently Asked Questions document are available at this site as well. Applicants also may want to discuss project impacts with the local air district.

Endangered Species Act (ESA)

ESA, Section 7, requires an assessment of the direct and indirect effects of the project on federally listed species and critical habitat. A biological resources assessment report is required and must include, but is not limited to:

- Recent species and critical habitat lists generated from the US Fish and Wildlife Service’s Information for Planning and Consultation online database;
- A recent species list from the National Marine Fisheries Service, if appropriate;
- A recent search of the California Department of Fish and Wildlife’s Natural Diversity Database, including appropriate species observation information and maps;
- A field survey performed by a qualified biologist;
- An evaluation (usually presented in table form) of the project’s potential to affect federally listed species;
- Special surveys, as appropriate;
- Maps delineating the project area and species occurrence;
- Identification of measures to minimize, and/or avoid impacts; and
- A recommendation on an ESA determination (i.e., “no effect,” “may affect, but not likely to adversely affect,” or “may affect and is likely to adversely affect”).

The State Water Board staff will conduct an independent review of these materials to determine the potential effect of the project on the federally listed species and will make a recommendation to USEPA on how to proceed under ESA, Section 7.

National Historic Preservation Act (NHPA)

NHPA, Section 106, requires an analysis of the effects of the project (or undertaking) on “historic properties.” Historic properties (i.e., prehistoric or historic districts, sites, buildings, structures, or objects 50 years or older) are properties that are included in or eligible for inclusion in the National Register of Historic Places. A historic properties identification report (HPIR) must be prepared in accordance with Section 106 requirements by a qualified professional meeting the Secretary of the Interior’s Standards in archaeology or history.

Specific requirements of the HPIR include, but are not limited to:

- The project description and a clearly defined area of potential effects (APE), specifying length, width, and depth of excavation, with a labeled map;
- A recent Information Center records search extending to half-mile beyond the project APE;
- Background research (e.g., old USGS maps, ethnographic records, historical records, etc.);
- Documentation of outreach to the Native American Heritage Commission, appropriate Tribes, historical societies, and interested parties;
- Detailed description of survey methods and findings; and
- Identification and evaluation of cultural resources within the APE.

Cultural resources reports prepared for CEQA may be used, but often require more information.

Environmental Alternatives Analysis

SRF regulations require that an explanation of the alternatives considered for the project and the rationale for selection of the chosen project alternative be prepared and that it assess the environmental impacts of each alternative. Known as the environmental alternative analysis, this information can be included in the project engineering report, the CEQA document, or a technical memorandum. The environmental alternative analysis must include the following:

- Range of feasible alternatives, including a “no project/no action” alternative;
- Comparative analysis among the alternatives that discusses direct, indirect, and cumulative, beneficial and adverse environmental impacts on the existing and future environment, as well as sensitive environmental issues; and
- Appropriate mitigation measures to address impacts.

Public Participation

SRF regulations also require adequate opportunity for the public, responsible agencies, and trustee state agencies under CEQA to review and comment on the project. All projects, except those with little to no environmental impacts (namely, CEQA exempt projects), must hold a public hearing or meeting to approve the CEQA document(s). The CEQA process includes public noticing opportunities, but other public meetings may be needed to meet the federal requirements. The applicant will be asked to provide the date(s) of when such meeting(s) were held for the project as part of the environmental review.

GUIDELINES FOR APPLICANTS AND THEIR CONSULTANTS ON PREPARING HISTORIC PROPERTY IDENTIFICATION REPORTS FOR THE CLEAN AND DRINKING WATER STATE REVOLVING FUND (SRF) PROGRAMS

All applicants seeking Clean Water or Drinking Water SRF financing for construction projects from the State Water Resources Control Board (State Water Board), Division of Financial Assistance (DFA), must comply with both California Environmental Quality Act (CEQA) and the federal cross-cutting regulations. CEQA requires public agencies to assess the impacts of their projects on historical resources. In addition to CEQA, Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (Section 106), requires federal agencies to take into account the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. (Tip: “undertaking” is a NHPA term equivalent to “project” in CEQA). A historic property is a prehistoric or historic district, site, building, structure, or object that is eligible for or listed on the National Register of Historic Places (NRHP).

The State Water Board administers the SRF Programs. The SRF Programs are partially funded by annual capitalization grants from the United States Environmental Protection Agency (USEPA). Issuance of SRF funds by the State Water Board is considered equivalent to a federal action, thereby necessitating compliance with Section 106. The USEPA has delegated lead agency responsibility to the State Water Board for carrying out the requirements of Section 106.

The State Water Board requires the applicant to provide a complete environmental package with their financial assistance application. The Historic Property Identification Report (HPIR) is key to showing a reasonable and good faith effort was made to identify historic properties. The State Water Board uses this report to make NRHP eligibility determinations and to support the State Water Board’s finding of effect for the undertaking. Documentation of concluded consultation with the State Historic Preservation Officer (SHPO) is required to illustrate compliance with NHPA. The HPIR is part of the State Water Board’s submittal to the SHPO.

SHPO CONSULTATION

The State Water Board is responsible for SHPO consultation. Submit two hard copies of the final HPIR to the State Water Board. One hard copy of the report will be submitted to the SHPO as part of the State Water Board’s consultation package and one will be kept on file.

BEFORE HIRING A CULTURAL RESOURCES CONSULTANT

If you think your project is the type of activity that does not have the potential to cause effects on historic properties, contact DFA, Senior Cultural Resources Officer (CRO)

before contracting a cultural resources consultant. This decision is based on the nature of the undertaking, not on the presence or absence of cultural resources. If the State Water Board determines the undertaking does not have the potential to cause effects, no further study is required. Projects like this would likely involve no ground disturbance, no modification of buildings, and be exempt under CEQA (e.g. replacing standard meters with AMR meters or re-coating tank interiors).

If the CRO determines that the undertaking is a type of activity that has the potential to cause effects, an HPIR will be required, even if the project is exempt from CEQA. Many applicants may have already had a cultural resources report completed for CEQA compliance. Those reports may be used to partially fulfill the requirements of Section 106. Be aware that cultural resources reports written for CEQA assessments often need to be revised or supplemented with additional information to meet NHPA requirements, especially when resources are present in the project footprint (called the area of potential effects [APE] in NHPA).

PROFESSIONAL QUALIFICATION STANDARDS

The HPIR must be prepared by a Principal Investigator(s) who meets the Secretary of the Interior's Standards for Professional Qualifications (SIPQS; 62 FR 33708-33723) in the discipline most relevant to the resource types likely to be in the study area. For example, if the undertaking is located in a city center, a qualified architectural historian may be most appropriate. On the other hand, if an undertaking is located in an area that may have Native American archaeological sites, a qualified archaeologist should be employed. Some undertakings may require more than one expertise. The SIPQS is available at <https://www.gpo.gov/fdsys/pkg/FR-1997-06-20/pdf/97-16168.pdf>.

The report must be attributed to an author and the author must summarize their SIPQS in the report. It is important to note that a graduate degree in the appropriate field and a year full-time experience as a supervisor is required (62 FR 33708-33723). Using unqualified personnel for fieldwork is not acceptable unless accompanied in the field by a SIPQS supervisor.

HISTORIC PROPERTIES IDENTIFICATION REPORT CONTENTS

To comply with NHPA and assist applicants and their consultants, the DFA has prepared these guidelines to help expedite the review and consultation process. Reports not meeting these guidelines will delay the environmental review process.

The HPIR should be a stand-alone document that includes all supporting documentation in the appendices. If the applicant is using information from more than one cultural report, there should be an accompanying explanation of how they relate. A new map showing the APE with resources from all the reports may need to be produced to tie it all together as one submittal.

The State Water Board is responsible for the finding of effect. The HPIR only needs to identify historic properties.

The following is an outline of topics that should be included in the HPIR:

Summary of Findings – This is a succinct synopsis of the report findings, located before the Table of Contents. It is an abstract of the report.

Table of Contents and Table and Figure lists- This allows the reviewer to quickly find information they seek and helps speed up the review process.

Undertaking Description – The undertaking description should include the basic purpose and need and a description and location of the work. It does not need to have technical specifications.

Undertaking Vicinity Map – A map showing the undertaking vicinity or an inset map showing the undertaking location in relation to cities and known landmarks should be included in the report.

Area of Potential Effects – The APE must be described in both horizontal and vertical terms (belowground and aboveground elevation) and should include all components of the undertaking that have the potential to effect cultural resources, such as, construction footprint, staging areas, borrow areas, spoils locations, utility tie-ins, new access roads, vibrations, and visual effects, if applicable. The APE can be contiguous or discontinuous (Tip: If the undertaking is in the early design phase and the exact footprint isn't known, you should start by delineating a "study area", the largest area where work may be done. It is more time efficient to scale a study area down to an APE rather than to add new areas later.)

NOTE – When the APE crosses a historic property, the entire property should be included in the APE, because if part of the property is affected, all of the property, either directly or indirectly, is also affected. See OHP guidance on the APE http://ohp.parks.ca.gov/pages/1071/files/106Checklist_2018_Apr.pdf.

APE Map(s) – The APE map is one of the most important pieces of the HPIR. Provide a map showing the whole APE in an appropriate scale. If there are resources in or near the APE, the APE map should also show all identified resources from both the records search and the survey. The APE and resources should be depicted on one map and additional detail maps may be appropriate when there are resources in or adjacent to the APE. APE detail maps should be depicted at a more detailed scale on an aerial background clearly labeled with APE elements, primary numbers, and street names if appropriate. The entire APE doesn't need to be depicted that way, only the areas that are in or close to resources. At a minimum, maps must have a north arrow, scale bar, scale text, legend, figure number, and title. Resources should also be labeled. Maps produced in GIS are highly encouraged as are digital record search results.

Natural and Cultural Context – A discussion of the undertaking’s prehistoric and historic context should be proportionate to the resources identified. Context aids in identification and is also necessary for evaluation. Provide context that is applicable to the study area and resources identified.

Literature Review – At a minimum, the literature review should include a records search from the appropriate regional Information Center of the California Historical Resources Information System with GIS maps of resources and reports (Hand-drawn records search maps are strongly discouraged). Pre-field research should also include a review of historic-era maps (e.g. General Land Office Survey Plats, USGS topographic quadrangles, Rancho maps, Sanborn Fire Maps, official county maps etc. as appropriate).

Tribal and Additional Consulting Party Coordination – Contact the Native American Heritage Commission and request a Sacred Lands File search of the study area or APE and a Native American contact list. Send letters to the tribes and other interested parties, such as local historical societies, with the undertaking description, map, and contact information. Use the State Water Board provided Applicant 106 Template https://www.waterboards.ca.gov/water_issues/programs/grants_loans/docs/nahc_letter_template_tribal_info.docx) for tribal notification letters if possible. Follow-up all letters with a phone call or email to make sure the parties received the information and to answer questions and receive comments. Document all correspondence in a tracking table, like the one provided on our website, and include all correspondence in an appendix to the report. Lack of responses must also be documented.

Field Inspection Methods and Results– Tailor the field methodology to the APE conditions and kinds of resources that may be present. Describe the ground visibility, kind of survey, and transect intervals if used. If only part of the APE was surveyed either provide a map of the portion that was surveyed or describe it accurately enough for someone else to map it. Document all potential historic properties on the appropriate Department of Parks Recreation 523 forms.

NRHP Eligibility– Evaluate all prehistoric and historic-era sites, districts, buildings, structures, objects, and sites of religious and cultural significance in the APE that are 50 years old or older, that have not already had a consensus determination and are potentially significant for the NRHP. A cultural resource is a prehistoric or historic district, site, structure, or object that is at least 50 years old, regardless of historical significance. To qualify as a historic property, it must meet at least one of the four eligibility criteria listed in 36 CFR Section 60.4 and retain sufficient integrity. <https://www.nps.gov/nr/publications/bulletins/nrb15/>

Evaluations by qualified individuals in the appropriate fields must address each of the four criteria for each resource. If one of the criteria or more apply, the seven characteristics of integrity should also be discussed. A concise and rational argument for or against eligibility must be made for each resource. Recommendations without justification or an appropriate level of research are not acceptable.

NOTE: You must evaluate the entire resource, even if only a part of it is in the APE. If that is not feasible for reasons including, lack of access to private property or the scope of the resource is outside the scope of the undertaking, estimated boundaries may be used to set reasonable limits. Boundaries should be based on historic maps or other documentation, and the reasoning behind the estimations explained. Discuss possible solutions with the CRO.

Appendices – Records Search Appendix: All records search data should be provided, including record search letter, maps of previously recorded resources and surveys, all site records from the record search that are in or adjacent to the APE, and Office of Historic Preservation Archaeological Determinations of Eligibility and Historic Properties Directory printouts. **Tribal Outreach Appendix:** Include the NAHC Sacred Lands File Search request and NAHC response, letters to and from tribes, copies of email responses from tribes, and a communications log detailing all correspondence including follow-up phone calls.

PRECAUTIONS

The following are common areas where cultural resources reports prepared for CEQA fall short of what is required under Section 106.

- A potential historic property is identified in the APE, but not evaluated. A cultural resource is not a historic property until it has been evaluated and found to be historically significant. If a resource is evaluated, it must also be documented on DPR forms.
- Evaluating a portion of a site or district is not acceptable. If an undertaking effects part of a historic property, it affects the whole property. The whole property must be evaluated. There are a few exceptions. If evaluation of a large property isn't feasible, discuss with the CRO.
- The APE is deemed "highly sensitive for buried archaeological sites" and monitoring is recommended as a mitigation. If the APE is highly sensitive for buried sites, additional analysis including sub-surface testing will likely be required. Monitoring may not be used as a substitute for thorough identification efforts.

- “The area has already been disturbed by previous construction” is not a sufficient basis for a “No historic properties affected” recommendation. Disturbance may affect the integrity of a portion of a site, but it doesn’t mean the whole site has been destroyed or is not eligible for the NRHP. Documentation is still required to demonstrate that the proposed undertaking will not affect historic properties or other sensitive resources, such as human remains.
- Recommendations are made for Inadvertent discovery procedures pursuant to CEQA instead of Section 106 post-review discovery procedures (See 36 CFR Section 800.13[b]).

CONFIDENTIALITY

HPIRs often contain confidential information about the location of archaeological sites. The Applicant or their consultant must provide the confidential version of the report to the State Water Board. Please do not upload confidential HPIRs to the State Water Board Financial Assistance Applications Submittal Tool (FAAST). Instead, send HPIRs directly to one of the cultural resources staff listed below that work in the Division of Financial Assistance. Hard copies can be mailed to State Water Resources Control Board, Division of Financial Assistance (Attn: <insert name>) P.O. Box 100 Sacramento CA 95812-0100.

- Wendy Pierce, Senior Environmental Scientist, at (916) 449-5178, or

Wendy.Pierce@Waterboards.ca.gov

- Lisa Machado, Senior Cultural Resources Officer (Senior Environmental Planner) at (916) 323-0626, or Lisa.Machado@Waterboards.ca.gov

Commenter: Lori Schmitz, State Water Resources Control Board

Date: February 8, 2023

Response:

The requested text changes on page 3 of the comment letter have been made, and included in the Final IS/MND.